

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA
RICHMOND DIVISION

UNITED STATES OF AMERICA,

Plaintiff;

v.

Criminal Action
3:14CR12

ROBERT F. McDONNELL and
MAUREEN G. McDONNELL,

Defendants.

July 29, 2014
Richmond, Virginia
10:00 a.m.

JURY TRIAL - VOLUME II

BEFORE: HONORABLE JAMES R. SPENCER
United States District Judge

APPEARANCES: MICHAEL S. DRY, ESQ.
DAVID V. HARBACH, II, ESQ.
JESSICA D. ABER, ESQ.
RYAN S. FAULCONER, ESQ.
Counsel for Government;

JOHN L. BROWNLEE, ESQ.
HENRY W. ASBILL, ESQ.
JAMES M. BURNHAM, ESQ.
DANIEL I. SMALL, ESQ.
CHRISTOPHER M. IAQUINTO, ESQ.
Counsel for Robert F. McDonnell;

WILLIAM A. BURCK, ESQ.
HEATHER H. MARTIN, ESQ.
STEPHEN M. HAUSS, ESQ.
Counsel for Maureen G. McDonnell.

JEFFREY B. KULL
OFFICIAL COURT REPORTER

P-R-O-C-E-E-D-I-N-G-S

THE CLERK: Day two, Case Number 3:14CR12:
United States of America versus Robert F. McDonnell and
Maureen G. McDonnell. The United States is represented by
Michael Dry, David Harbach, Jessica Aber, and Ryan
Faulconer. Robert F. McDonnell is represented by John
Brownlee, Daniel Small, Henry Asbill, James Burnham, and
Christopher Iaquinto. Maureen G. McDonnell is represented
by Heather Martin, William Burck, and Stephen Hauss. Are
counsel ready to proceed?

MR. DRY: The United States is ready.

MR. BROWNLEE: Mr. McDonnell is ready.

MR. BURCK: Ms. McDonnell is ready.

THE COURT: All right. I understand we had some
issues before the jury.

MR. BURNHAM: James Burnham on behalf of
Mr. McDonnell. We just wanted to notify the Court we are
withdrawing our 17(c) request as to Ms. Fulkerson because
we have negotiated something with her counsel. Also, I
will inform the Court that our understanding is that
Ms. Fulkerson may testify today, so that request has
become somewhat more urgent. Also, I had some
correspondence from counsel for Star Scientific that he
asked that we share with the Court. May I offer it?

THE COURT: Sure.

1 MR. BURNHAM: Of course, we are happy to address
2 the merits if you would like, but I'm sure you don't.
3 Thank you, Your Honor. Mr. Asbill has one thing as well.

4 MR. ASBILL: Thank you, Your Honor. I just
5 wanted to tie up a loose end from yesterday's voir dire
6 and ask that the questions that I asked you to ask about
7 pretrial publicity be made part of the record in this
8 case.

9 THE COURT: Sure.

10 MR. ASBILL: Thank you, sir.

11 THE COURT: All right. Let's bring in the jury,
12 please.

13 MR. DRY: I'm not sure about this, but defense
14 counsel has just raised that they believe one of the
15 witnesses might be in the courtroom right now.

16 THE COURT: There is no rule on witnesses until
17 the testimony starts. If they want to be in here, that's
18 fine.

19 MR. BURNHAM: Thank you.

20 (The jury entered the courtroom.)

21 Mr. *** (Juror Number 0248), just raise your
22 hand. Okay. You should be down with the twelve. You
23 were the first alternate. I'm trying to see who is in the
24 wrong seat here. We need Mr. *** (Juror Number 0012),
25 Ms. *** (Juror Number 117), and Ms. *** (Juror Number

1 0431) should be on the back row. Okay.

2 And before I start with these preliminary
3 instructions: Obviously, we lost a juror yesterday at the
4 eleventh hour. That's why Mr. *** (Juror Number 0248) has
5 to move down to the panel. And throughout the course of
6 these proceedings, the alternates -- the jury, you all can
7 sit anywhere you want down here among the twelve, but the
8 alternates will have to be on the back row.

9 Ladies and gentlemen, now that you all have been
10 sworn, it becomes my task to give you some preliminary
11 instructions to guide your participation in this trial.

12 It will be your duty to find from the evidence
13 what the facts are. And you and you alone are the judges
14 of the facts. You will then have to apply to those facts
15 the law as the Court will give it to you. You must follow
16 that law whether you agree with it or not.

17 Nothing the Court may say or do during the
18 course of the trial is intended to indicate nor should it
19 be taken by you as indicating what your verdict should be.
20 That is a matter entirely up to you.

21 The evidence from which you will find the facts
22 will consist of the testimony of witnesses, who will be
23 sworn and have a seat in this witness box over here and
24 testify before you. Evidence will also include documents
25 and other things received into the record as exhibits, and

1 any facts the lawyers agree or stipulate to or that the
2 Court might instruct you to find.

3 Certain things are not evidence, and must not be
4 considered by you. I will list them for you now.
5 Statements, arguments, and questions by lawyers are not
6 evidence. And I want to make that abundantly clear. If
7 the lawyer is at the podium and propounds a question to
8 the witness, the question is not evidence. It is the
9 answer that the witness gives that is evidence in the
10 case.

11 Objections to questions are not evidence. Now,
12 the lawyers have an obligation to their client to make an
13 objection when they believe evidence being offered is
14 improper under the Rules of Evidence. You should not be
15 influenced by the objection or by the Court's ruling on
16 it. If the objection is sustained, you ignore the
17 question. If it is overruled, then you treat the answer
18 like any other.

19 If you are instructed that some item of evidence
20 is received for a limited purpose only, you must follow
21 that instruction. Testimony that the Court has excluded
22 or told you to disregard is not evidence and must not be
23 considered.

24 Anything you may have seen or heard outside of
25 the courtroom is not evidence and must be disregarded.

1 You are to decide the case solely on the evidence
2 presented here in open court.

3 Now, there are two kinds of evidence: direct and
4 circumstantial. Direct evidence is direct proof of a
5 fact, such as the testimony of an eyewitness.
6 Circumstantial evidence is proof of facts from which you
7 may infer or conclude that other facts exist. Now, I will
8 give you further instructions on these as well as other
9 matters at the end of the case. But have in mind that you
10 may consider both kinds of evidence.

11 It will be up to you to decide which witnesses
12 to believe, which witnesses not to believe, and how much
13 of any witness's testimony to accept or reject. I will
14 give you some guidelines for determining the credibility
15 of witnesses at the end of the case.

16 Now, as I told you earlier, and you certainly
17 know by now, this is a criminal case. There are three
18 basic rules about a criminal case that you have to keep in
19 mind throughout these proceedings. First, the defendants,
20 Mr. McDonnell and Ms. McDonnell, they are presumed
21 innocent until proven guilty. The indictment against the
22 defendants brought by the government is only an
23 accusation, nothing more. It is not proof of guilt or
24 anything else. The defendants, therefore, start out with
25 a clean slate.

1 Second: The burden of proof is on the
2 government until the very end of the case. The defendants
3 have no burden to prove their innocence or to present any
4 evidence or to testify. And since the defendants have the
5 right to remain silent, the law prohibits you in arriving
6 at your verdict from considering that a defendant may not
7 have testified.

8 Third: The government must prove the
9 defendants' guilt beyond a reasonable doubt. Now, I will
10 give you further instructions on this point later. But
11 bear in mind that in this respect, a criminal case is
12 different from a civil case.

13 Now, in this case, the defendants are charged
14 with a number of counts, a multiple-count indictment. The
15 offenses alleged in this indictment are as follows:
16 Conspiracy to commit honest services wire fraud, and then
17 honest services wire fraud. That is, conspiracy to commit
18 an offense, and then the commission of that offense. The
19 third charge is conspiracy to obtain property under color
20 of official right. And then there are several instances
21 alleged in fact of obtaining property under color of
22 official right. False statement to a financial
23 institution and obstruction of an official proceeding, to
24 wit: a grand jury.

25 Now, what I am going to do now is give you the

1 statute which undergirds these charges, and the elements
2 that the government must prove beyond a reasonable doubt.
3 Now, obviously, at the end of the case you will get far
4 deeper and far more of these instructions. There will be
5 definitions that I'll explain to you in greater detail.
6 But I want you to have some general understanding as we go
7 forward.

8 Now, first, there is conspiracy to commit honest
9 services fraud. Now, Title 18 U.S. Code Section 1349
10 provides in pertinent part: Any person who conspires to
11 commit any offense under this chapter shall be subject to
12 the same penalties as those prescribed for the offense,
13 the commission of which was the object of the conspiracy.
14 And then Title 18 U.S. Code Chapter 63 Section 1343
15 provides in pertinent part: Whoever, having devised or
16 intending to devise any scheme or artifice to defraud,
17 transmits or causes to be transmitted by means of wire
18 communication in interstate commerce any writing, signs,
19 signals, pictures, or sounds for the purpose of executing
20 such scheme or artifice shall be guilty of an offense
21 against the United States. For purposes of this chapter,
22 the term "scheme or artifice to defraud" includes a scheme
23 or artifice to deprive another of the intangible right of
24 honest services. That's the statute. And believe me, I
25 will explain it to you in much greater detail later.

1 Now, the elements, that's what the government
2 has to prove to make out this offense: To prove a
3 conspiracy as charged in Count One, the government must
4 prove three essential elements beyond a reasonable doubt.
5 First, that the conspiracy or agreement or understanding
6 to commit honest services fraud as charged in the
7 indictment was formed, reached, or entered into by two or
8 more persons. Second, that at some time during the
9 existence or life of the conspiracy, agreement, or
10 understanding, the defendant you are considering knew the
11 purpose of the agreement. And third, that with knowledge
12 of the purpose of the conspiracy, agreement, or
13 understanding, the defendant you are considering then
14 deliberately joined the conspiracy, agreement, or
15 understanding.

16 Honest services fraud I basically explained to
17 you just now under the conspiracy statute. So the
18 statute, the part "Whoever having devised or intended to
19 devise any scheme or artifice transmits or causes to be
20 transmitted by means of wire communication in interstate
21 commerce any writing, signs, signals, pictures or sounds
22 for the purpose of executing such scheme or artifice shall
23 be guilty of an offense against the United States," that's
24 the statute. Let me give you the elements. This is the
25 elements of honest services fraud.

1 First, the government must show first that the
2 defendant you are considering knowingly devised or
3 participated in a scheme to defraud the public of its
4 right to the honest services of a public official through
5 bribery as charged in each count. Second, that the
6 defendant you are considering did knowingly and with an
7 intent to defraud -- did so knowingly and with an intent
8 to defraud. Third, that the scheme or artifice to defraud
9 involved a material misrepresentation, false statement,
10 false pretense, or concealment of material fact. And
11 fourth, that in advancing or furthering or carrying out
12 the scheme to defraud, the defendants transmitted or
13 caused to be transmitted the writing, signs, signals,
14 pictures, or sounds alleged by means of a wire
15 communication in interstate commerce as charged in each
16 count.

17 The next charge is conspiracy to obtain property
18 under color of official right. Title 18 U.S. Code Section
19 1951(a) provides in pertinent part that whoever conspires
20 to in any way or degree obstruct, delay, or affect
21 commerce or the movement of any article or commodity in
22 commerce by extortion is guilty of an offense against the
23 United States. Title 18 U.S. Code Section 1951 (b)(2)
24 provides in pertinent part: The term "extortion" means
25 the obtaining of property from another with his consent

1 under color of official right. In addition, Title 18 U.S.
2 Code Section 1951(b)(3) provides in pertinent part: The
3 term "commerce" means all commerce between any point in
4 any state, territory, possession, or the District of
5 Columbia, and any point outside thereof; all commerce
6 between points within the same state, through any place
7 outside such state, and all other commerce over which the
8 United States has jurisdiction. The elements of this
9 conspiracy to obtain property under color of official
10 right are as follows: The government must prove first
11 that the conspiracy, agreement, or understanding to obtain
12 property under color of official right as charged in the
13 indictment was formed, reached, and entered into by two or
14 more persons; second, that sometime during the existence
15 or life of the conspiracy, agreement, or understanding,
16 the defendants or defendant you are considering knew the
17 purpose of the agreement; and third, that with knowledge
18 of the purpose of the conspiracy, agreement, or
19 understanding, the defendant you are considering then
20 deliberately joined the conspiracy, agreement, or
21 understanding.

22 There are a number of counts, I believe it is
23 Six through Eleven, that charge substantive counts of
24 obtaining property under color of official right. There
25 are two counts that charge making a false statement to a

1 financial institution. Mr. McDonnell is charged in both
2 of those counts. Ms. McDonnell is charged in one. The
3 statute, Title 18 U.S. Code Section 1014 provides in
4 pertinent part: Whoever knowingly makes any false
5 statement or report for the purpose of influencing in any
6 way the action of a Federal Credit Union or any banking
7 institution, the accounts of which are insured by the
8 Federal Deposit Insurance Corporation, upon application,
9 commitment, loan, or a guarantee any change or extension
10 of any of the same by renewal, deferment, or action or
11 otherwise, is guilty of an offense against the United
12 States.

13 The elements, that is, what the government must
14 prove, are as follows: That the charged defendant or
15 defendants made a false statement or report; that the
16 charged defendant or defendants did so for the purpose of
17 influencing in any way the action of a Federal Credit
18 Union or any bank whose deposits are insured by FDIC as
19 charged in Counts Twelve and Thirteen, upon any
20 application, commitment, loan, or guarantee, or any change
21 or extension of any of the same, by renewal, deferment of
22 action, or otherwise; and third, that the charged
23 defendant or defendants did so knowingly.

24 Now, the final charge has to do with obstruction
25 of an official proceeding. Title 18 U.S. Code Section

1 1512(c) provides in pertinent part: Whoever corruptly
2 obstructs, influences, or impedes any official proceeding,
3 or attempts to do so, is guilty of an offense against the
4 United States. And Title 18 U.S. Code Section 1515(a)(1)
5 defines an official proceeding for purposes of 1512 to
6 include a proceeding before a federal grand jury.

7 The elements, what the government must prove to
8 make out this count, are as follows: First, that the
9 defendant obstructed, influenced, or impeded an official
10 proceeding or attempted to do so; and second, that the
11 defendant did so or attempted to do so corruptly. That
12 is, voluntarily, deliberately, and for the purpose of
13 improperly obstructing, influencing, or impeding an
14 official proceeding, all while either knowing about an
15 official proceeding, or that the natural and probable
16 effect of the conduct would interfere with an official
17 proceeding.

18 Now, as I said, I will give you detailed
19 instructions on the law at the end of the case. And those
20 instructions will control your deliberations and decision.
21 And I gave you this preliminary look at the charges and
22 the statute just to help you follow the evidence as it
23 comes in as we go forward.

24 Now, a few words about your conduct as jurors.
25 First, I instruct you that during the trial, you are not

1 to discuss the case with anyone or permit anyone to
2 discuss it with you. Until you retire to the jury room at
3 the end of the case to deliberate on your verdict, you
4 simply are not to talk about this case.

5 Now, there has been substantial publicity about
6 this case prior to the beginning of this trial. The
7 statements contained in some of the accounts may, of
8 course, not be accurate and may have come from individuals
9 who will not be present in court and who therefore cannot
10 be seen and evaluated by the jury like all of the other
11 witnesses, and will not be examined or cross-examined by
12 either of the parties under oath. Press accounts may also
13 contain opinions instead of facts, and those opinions may
14 not be based on the evidence to be presented here in
15 court. You, of course, must lay aside and completely
16 disregard anything you may have read or heard about the
17 case outside of the courtroom, because your verdict must
18 be based solely and exclusively on the evidence presented
19 here in court in accordance with my instructions to you at
20 the close of the case about the law you must apply to the
21 evidence. To rely upon anything you see or hear outside
22 of the courtroom in reaching your verdict is a violation
23 of your oath as a juror.

24 Now, going forward, please do not read or listen
25 to anything touching on this case in any way. If anyone

1 should try to talk to you about it, bring it to the
2 Court's attention promptly. Third, do not try to do any
3 research or make any investigation about this case on your
4 own. And this covers the spectrum. No Internet, no
5 newspaper, no radio, no television, no reaching out into
6 cyberspace to try to get information to aid you. That is
7 a complete no-no, and please don't do it.

8 Finally, do not form any opinion until all of
9 the evidence is in. Keep an open mind until you start
10 your deliberations at the end of the case.

11 Now, obviously, we are going to make it possible
12 for you to take notes. This is going to be a lengthy
13 case. We will give you pads for that purpose as well as
14 pens with this caveat: The notes you are making are for
15 yourself to help you with your recollection of what the
16 evidence was as it came in. These notes are not to be
17 shared with other members of the jury.

18 Now, in a few minutes the trial will begin.
19 First, the government will make an opening statement,
20 which is simply an outline to help you understand the
21 evidence as it comes in. Next, the defendants' lawyers
22 may, but does not have to, but I expect that they will,
23 make an opening statement. Opening statement is neither
24 evidence nor arguments. The government will then present
25 its witnesses, and counsel for the defendants may

1 cross-examine them. Never forget that there are two
2 defendants in this case: Mr. McDonnell and Ms. McDonnell.
3 And they are to be given separate consideration. As you
4 will see, their lawyers will have separate opportunities
5 to examine and to cross-examine. Always remember that you
6 are considering two separate defendants.

7 Now, once the government has presented all of
8 its witnesses and has rested, the defendants may, if they
9 wish, present witnesses whom the government may
10 cross-examine. After all of the evidence is in, the
11 attorneys will present their closing arguments to
12 summarize and interpret the evidence for you. And then
13 finally, the Court will instruct you on the law, the law
14 applicable to this particular case. After that, you will
15 retire to begin your deliberations on your verdict.

16 Now, a few words about the logistics of the
17 Court, how we run things around here. Normally, at the
18 end of the Court's day, trial day, which is normally 5:30,
19 I will let you know what time we will convene the
20 following morning. It depends. Sometimes I have short
21 matters set at 9 or 9:30, and it depends on what I have
22 set on my calendar. Also, just by a show of hands, do we
23 have any folks from distance, Spotsylvania,
24 Fredericksburg, Mecklenburg, anybody from distance? Okay,
25 we've got two, three. I'll keep that in mind. So we

1 probably won't start any earlier than 9:30 on most days.

2 All right?

3 Now, what we do is we normally take a break of
4 about 15 minutes' duration sometime in the morning,
5 somewhere around 11:30 or thereabouts. We normally stop
6 for lunch somewhere around 1 o'clock. And the luncheon
7 recess is of one hour's duration. I say somewhere around
8 1 o'clock because it depends on what we are doing. If we
9 had a witness I thought we could finish, we might go to
10 1:10 or 1:15. If we had a lengthy witness that was about
11 to take the stand at 12:50, we might stop at 12:50. But
12 somewhere around 1 o'clock we will stop for lunch.

13 Then in the afternoon we take another break of
14 15 minutes' duration. And this is somewhere around
15 between 4 and 4:30, somewhere in there, we will take a
16 break and then push on until 5:30.

17 Now, having said that, I don't want anybody to
18 feel captive in the box. If you need a break, you just
19 let me know and we will take one. It is that simple.

20 All right, government, are you ready to proceed?

21 MS. ABER: Yes, Your Honor.

22 THE COURT: All right. Let's turn the lectern
23 around.

24 MS. ABER: For more than 30 years, the
25 defendant, Robert F. McDonnell, has been a public servant.

1 He served in the military, he served as a Delegate, and he
2 served as an Attorney General of Virginia. And for the
3 last four years of that service, he was the Governor, the
4 most powerful public official in this state. And for
5 every day of those four years, Mr. McDonnell was paid by
6 the citizens of Virginia to do a job. He got paid a
7 six-figure salary. He got a mansion to live in. He got a
8 chef, a butler, a security detail, all at taxpayer
9 expense. And in return for all of that, he took a duty, a
10 duty to the citizens of this state, this Commonwealth, to
11 provide his honest services, a duty not to sell the power
12 and the influence of his office to the highest bidder.
13 And that means, ladies and gentlemen, that he could not
14 accept secret gifts in exchange for official actions that
15 should have just been his job.

16 But in this trial, we will prove that is exactly
17 what he did. During this trial, we will prove to you that
18 Mr. and Ms. McDonnell conspired to violate this duty of
19 honest services by secretly accepting more than \$150,000
20 of cash, loans, vacations, golf, and luxury goods in
21 exchange for doing what should have just been his job.

22 You will learn that the defendants accepted
23 those things of value from a man they didn't even know
24 before Mr. McDonnell ran for Governor; a man named Jonnie
25 Williams, a vitamin salesman. And though the McDonnells

1 didn't know him before, we will prove to you that they
2 learned what Mr. Williams wanted pretty fast. They
3 learned that Mr. Williams wanted the Governor and his
4 office to take official action to help Mr. Williams sell
5 his product. And we will prove that Mr. Williams got just
6 that.

7 You will learn that Mr. Williams got to invite
8 state university researchers that he wanted to study his
9 product to an event at the Governor's Mansion designed to
10 encourage those state researchers to do those studies.
11 You will learn that Mr. McDonnell personally directed one
12 of his subordinates, a high-ranking state health official,
13 to have one of his deputies meet with Mr. Williams on less
14 than 12 hours' notice.

15 You will learn that Mr. Williams got to invite
16 doctors that he wanted to study his product to an official
17 event at the Governor's Mansion for Virginia healthcare
18 industry leaders, invitations that Mr. McDonnell's own
19 cabinet secretary refused to pay for. And while
20 Mr. McDonnell did each of these things and more, and while
21 his wife helped him, we will prove that virtually nobody
22 knew about the more than \$150,000 in cash and loans and
23 vacations and golf and luxury goods that the McDonnells
24 were putting into their own pockets in exchange.
25 Mr. McDonnell's subordinates, those researchers, the

1 citizens of Virginia, no one knew what was really going
2 on.

3 Now, members of the jury, as Judge Spencer
4 noted, you are going to hear a lot of evidence over the
5 next few weeks. But this is really fundamentally a very
6 simple case. And it won't be a short one, but I promise
7 you we are all going to do our very best to respect your
8 time and your summer and streamline this case as much as
9 possible. You are going to hear from a lot of witnesses
10 and you are going to see a lot of documents on these
11 screens. But because the McDonnells went to great lengths
12 to keep the extent of their relationship with Mr. Williams
13 secret, even from people very close to them, there is no
14 single witness who is going to be able to tell you this
15 entire story from soup to nuts.

16 But once you have heard everything and put it
17 all together, the United States will come back and ask you
18 to find the defendants, Robert and Maureen McDonnell,
19 former Governor and First Lady of Virginia, guilty of all
20 counts.

21 Now, part of my job here today, as the Judge
22 said, is to provide you with an overview of the evidence
23 you are going to hear, to provide you with a snapshot of
24 what things will look like at the end. It is also part of
25 my job, I promise you, to keep this overview very short

1 and sweet. And I'm not going to tell you every piece of
2 evidence that's going to come in. I'm just going to sort
3 of hit the highlights, or we would be here for hours. And
4 that is not my intention, Judge. So I'm going to break
5 this up into three parts. First, I'd like to give you a
6 very brief overview of the charges against Mr. and Ms.
7 McDonnell. Second, I'm going to give you an overview of
8 the government's evidence. And third, I will tell you
9 what this case is not about.

10 Now, first, Judge Spencer has given you a brief
11 overview of the charges. But in summary, Counts One
12 through Four pertain to honest services wire fraud and
13 Counts Five through Eleven pertain to obtaining money
14 under color of official right. Those are corruption
15 charges. And you are going to hear, as we said, lots more
16 legalese about what that actually means in plain English.
17 But it really does boil down to one simple question: Did
18 Mr. and Ms. McDonnell accept things of value from that
19 vitamin salesman, Mr. Williams, in exchange for
20 Mr. McDonnell using his position as Governor to help
21 Mr. Williams' company.

22 Now, I'm going to tell you right up front, let
23 it be known, the government does not have to show an
24 explicit agreement. You are not going to hear, definitely
25 not going to hear a recording, see a video of any sort of

1 shady back alley deal in which Mr. Williams and
2 Mr. McDonnell meet and exchange a paper bag full of cash
3 in exchange for a state contract. You are not going to
4 hear it, the law doesn't require it, and it is not a
5 movie. Candidly, the defendants, you will hear, are way
6 too sophisticated for that. And you are not going to hear
7 that Mr. McDonnell helped Mr. Williams get legislation or
8 a state job. Mr. Williams does not, you will hear, under
9 the law, have to get a dime of state money. You will
10 learn that those things are not necessary for the
11 defendants to be guilty. The law simply requires that
12 Mr. McDonnell agreed to take official action on
13 Mr. Williams' behalf.

14 Now, the next two counts, Twelve and Thirteen,
15 pertain to bank loans that Mr. and Ms. McDonnell sought.
16 Count Twelve specifically alleges that Mr. McDonnell lied
17 on a personal financial statement to TowneBank by stating
18 that his liabilities had a number that did not include the
19 loans that Mr. Williams had given to him. And Count
20 Thirteen alleges that both Mr. and Ms. McDonnell did the
21 same thing on bank applications to Pentagon Federal Credit
22 Union. Finally, Count Fourteen alleges that Ms. McDonnell
23 obstructed the grand jury investigation of her by trying
24 to claim that those gifts from Mr. Williams of designer
25 clothes were really just loans to her.

1 So that takes us to part two, the facts and
2 evidence that you are going to hear in a little more
3 detail. Now, this story starts back in 2009 when
4 Mr. McDonnell was elected Governor of Virginia. He was
5 not a wealthy man. And he was under a lot of financial
6 pressure, because like a lot of people, he bought rental
7 properties in 2007 at the height of the market and they
8 had gone down in value a lot. And although Mr. McDonnell
9 was the Governor of Virginia, he was feeling the financial
10 strain like a lot of Americans have. But, unlike a lot of
11 Americans, as Governor, Mr. McDonnell had a lot of wealthy
12 people that wanted to get to know him better. And one of
13 those people was a man named Jonnie Williams.

14 Now, Jonnie Williams, who you will hear from, is
15 a wealthy businessman. He is the former CEO of a
16 publicly-traded company called Star Scientific, or I'll
17 call it Star. Star was headquartered here in Glen Allen,
18 Virginia, and Star manufactured health supplements that
19 come from a compound in the tobacco plant that's called
20 anatabine. Mr. Williams had a product, which is basically
21 a vitamin, that he wanted to sell, and he wanted the
22 Governor's help to do so.

23 Now, to be clear, members of the jury, you are
24 going to hear evidence that Mr. McDonnell and Mr. Williams
25 were not friends, and they met for the first time during

1 Mr. McDonnell's campaign for Governor. But even before
2 Mr. McDonnell took office, one of the very first times
3 they met, Mr. Williams agreed to buy a designer gown for
4 Ms. McDonnell to wear to the inauguration, the
5 gubernatorial inauguration. Mr. McDonnell's staff put a
6 stop to that, but Ms. McDonnell was very upset and told
7 Mr. Williams that she would take a rain check. So from
8 the outset, Mr. McDonnell knew that Mr. Williams was
9 willing to spend a lot of money on him and his family.

10 Now, why was Mr. Williams willing to do that?
11 Well, because he wanted to market Star Scientific's
12 product, which you will hear was called either CigRX or
13 Anatabloc, as a vitamin, and eventually have it become a
14 pharmaceutical or a prescription drug. But Mr. Williams
15 had two basic problems. The first being he had to get the
16 public to accept the vitamin. Think about what like fish
17 oil has become. And number two, he needed scientific
18 studies to pave the way for the vitamin to be approved as
19 a drug.

20 Now, Mr. Williams, you will hear, thought that
21 the Governor could help him solve those problems by
22 legitimizing, promoting, and obtaining research studies
23 for those products. You see, as Governor, you will hear
24 that Mr. McDonnell was the most powerful public official
25 in Virginia. He had a lot of authority, you will hear,

1 and a lot of influence over the very government officials
2 that Mr. Williams needed to get to sign off on his plans.

3 And you will hear that Mr. Williams told
4 Mr. McDonnell all of this. You will learn that in October
5 of 2010, Mr. McDonnell flew on Mr. Williams' jet back from
6 California to Richmond. So they had a couple hours
7 together. And you will hear that on that night,
8 Mr. Williams explained what he needed. He told
9 Mr. McDonnell all about his product, Anatabloc, that he
10 needed scientific testing of Anatabloc. Mr. McDonnell,
11 you will hear, told Mr. Williams that he would set him up
12 with the Secretary of Health, Dr. Bill Hazel. You will
13 hear from Dr. Bill Hazel, too. He, like all cabinet
14 members, worked directly for Mr. McDonnell as the
15 Governor. So Mr. Williams, after this plane ride, got his
16 meeting with Dr. Hazel. But it did not go well. Dr.
17 Hazel was skeptical about Mr. Williams' claims of the
18 benefits of Anatabloc because they weren't scientifically
19 validated. In other words, "Go get those studies,
20 Mr. Williams."

21 Now, you may remember, as I just said a few
22 moments ago, that Ms. McDonnell had told Mr. Williams that
23 she would take a rain check on her designer gown. And in
24 April of 2011, Ms. McDonnell called Mr. Williams. You
25 will learn that was the very first call between their two

1 cell phones. And Ms. McDonnell told him that now he could
2 take her shopping in New York City to buy those designer
3 clothes for her daughter, Cailin's, upcoming wedding. And
4 then she would make sure that he was seated next to
5 Mr. McDonnell at a political event in New York. And when
6 Mr. Williams went to New York City and met Ms. McDonnell
7 there, he bought her approximately \$20,000 of designer
8 clothes. And as promised, Mr. Williams got to sit at the
9 head table at the event that night next to Mr. McDonnell.
10 Mr. Williams, you will hear, began to understand that
11 buying things for the McDonnells had its benefits.

12 Now, at first blush you might be asking
13 yourselves, designer clothes for another man's wife? And
14 later on you are going to hear evidence that Mr. Williams
15 and Ms. McDonnell talked on the phone a lot and they
16 exchanged a lot of text messages. But make no mistake
17 about it, ladies and gentlemen: You will hear that this
18 was always just a business relationship and nothing more.

19 Now, a few weeks later, the McDonnells invited
20 Mr. Williams and his wife, Celeste, over for dinner at the
21 Governor's Mansion. This gave Mr. Williams the chance to
22 talk to the Governor about his product and his plans for
23 the future. At the dinner, Mr. Williams briefly met the
24 McDonnells' daughter, Cailin, who happened to be coming
25 through for the first time. Cailin McDonnell's wedding

1 was approximately five weeks away at the first weekend in
2 June of 2011, and the balance on the catering contract for
3 her reception was coming due.

4 Now, who signed that catering contract?

5 Mr. McDonnell. Who owed the balance and had already made
6 the first two deposits on the catering contract?

7 Mr. McDonnell. A couple of days after that dinner,
8 Ms. McDonnell asked to meet Mr. Williams at the Governor's
9 Mansion, and Ms. McDonnell told Mr. Williams that she and
10 Mr. McDonnell needed money. She asked for a loan of
11 \$50,000. And she told Mr. Williams that she would help
12 him with his product if he would help the McDonnells. She
13 also told Mr. Williams, you will hear, that the McDonnells
14 needed \$15,000 to pay the balance of that catering
15 contract for their daughter Cailin's reception.

16 You will hear that Mr. Williams agreed to help,
17 but he wanted to speak with the Governor first. And you
18 will hear that he did. In that conversation,
19 Mr. McDonnell, you will hear, told Mr. Williams about
20 their money problems the same way. And Mr. Williams
21 agreed to provide the \$50,000 loan and that no written
22 loan agreement was necessary. Mr. Williams made good on
23 his promise and on May 23rd, 2011, went to the Mansion and
24 hand-delivered a \$50,000 check to Maureen McDonnell and a
25 \$15,000 check made out in blank for the wedding catering

1 reception charges. And Mr. McDonnell knew about it.

2 I'd like to show you an exhibit. Now, this is
3 one of many exhibits that you are going to see in trial.
4 And this is not the only time you will see this, so don't
5 panic, this will be coming back at you. This is an e-mail
6 from Mr. McDonnell to Mr. Williams dated Saturday, May
7 28th, 2011. "Thanks so much for all your help with my
8 family. Your very generous gift to Cailin was most
9 appreciated as well as the golf round tomorrow for the
10 boys. Maureen is excited about the trip to Florida to
11 learn more about the products and to see Celeste. Have a
12 restful weekend with your family. Thanks."

13 Let's take this line by line, ladies and
14 gentlemen. "Jonnie, thanks so much for all your help with
15 my family." "Your very generous gift to Cailin." The
16 evidence will show, ladies and gentlemen, that
17 Mr. Williams was not giving a gift to Cailin. That
18 \$15,000 was a gift to Mr. McDonnell, who was on the hook
19 by contract to pay for the rest of his daughter's
20 reception. "Golf round tomorrow for the boys." You will
21 hear that the very next day, Mr. McDonnell and his sons
22 spent the day at Mr. Williams' gated private club, Kinloch
23 Golf Club, which is out in Goochland County. Mr. Williams
24 wasn't present for that particular golf outing, but the
25 McDonnell family charged \$2,380 on his tab.

1 "Trip to Florida" refers to Mr. Williams'
2 company having an event at a research institute in
3 Florida. The event was for researchers, Star Scientific
4 investors, and stock analysts. Mr. Williams had asked if
5 Mr. McDonnell could attend the event, but Ms. McDonnell
6 went in his place. And only a few days after this e-mail,
7 you will hear that Ms. McDonnell flew down on
8 Mr. Williams' jet and made brief remarks at the event in
9 Florida. You will learn that those remarks included
10 offering Star the use of the Governor's Mansion for the
11 official product launch of Anatabloc.

12 On the same day that Ms. McDonnell went to
13 Florida, she used \$30,000 of Mr. Williams' \$50,000 loan to
14 buy Star Scientific stock. And the evidence will show
15 also that Mr. McDonnell knew about that. The McDonnells
16 also used approximately \$20,000 to pay down credit card
17 debt.

18 Now, after this Florida event, Mr. Williams
19 started to try to get things moving with the scientific
20 studies of Anatabloc at UVA and VCU, University of
21 Virginia, and Virginia Commonwealth University. His plans
22 included not only having state universities conduct the
23 research, but also having something called the Virginia
24 Tobacco Commission fund the studies. Now, the Tobacco
25 Commission, you will hear, is a state commission that

1 provides economic grants using money from the National
2 Tobacco Settlement. The majority of the commissioners on
3 the Tobacco Commission are appointed by the Governor.
4 Now, Mr. Williams also wanted to use Virginia state
5 employees to voluntarily participate as subjects in
6 clinical studies. Based on their conversations and the
7 money and the gifts that Mr. Williams had given to the
8 McDonnells, you will hear that Mr. Williams believed that
9 Mr. McDonnell as Governor would help carry out his plans.
10 So he spared no expense. Mr. Williams invited
11 Mr. McDonnell to vacation at his waterfront estate on
12 Smith Mountain Lake, about three hours west of here. From
13 July 28th through July 31st, 2011, the McDonnell family,
14 including all their children, spent four days at
15 Mr. Williams' estate. Neither Mr. Williams nor his family
16 were at the estate. The McDonnells had it all to
17 themselves. Mr. McDonnell enjoyed Mr. Williams' Ferrari
18 during the vacation and used it for the three-hour drive
19 back to Richmond, back to the Governor's Mansion, on
20 Sunday, July 31st, 2011.

21 This is an e-mail from Maureen McDonnell to
22 Jonnie Williams on July 31st, 2011. It appends an
23 attachment.

24 Now, Mr. Williams had wanted to meet with
25 someone from Dr. Bill Hazel's office the very next day,

1 Monday, August 1st, to effectuate his plans for Anatabloc.
2 While the McDonnells were vacationing at Mr. Williams'
3 estate, Mr. Williams called Ms. McDonnell to confirm that
4 the meeting would take place. When Mr. McDonnell got back
5 to the Governor's Mansion at the end of the vacation, he
6 e-mailed Dr. Hazel at 11:29 p.m. and directed him to have
7 a staff member come to the Mansion the very next Monday
8 morning. You can see the e-mail there from
9 Governor@bobmcdonnell.com at 11:29 p.m. "Bill, would like
10 to have Keith or Matt attend a short briefing at the
11 Mansion about 10 a.m. with the First Lady on the Star
12 Scientific Anatabloc trials planned, UVA and VCU this
13 weekend." At 6:28 a.m., Dr. Hazel responded, "Will do."

14 The next morning, that Monday, August 1st,
15 Mr. Williams showed up at the Governor's Mansion and he
16 got what he wanted. He had a meeting with Ms. McDonnell
17 and one of Dr. Hazel's deputies. You will learn that
18 neither Dr. Hazel nor his deputy knew anything about that
19 \$65,000 in loans and gifts to date, the golf, the
20 vacation, or that Ferrari ride.

21 Later that same morning, August 1st, you will
22 hear that Mr. Williams got something else he wanted.
23 Ms. McDonnell scheduled on the Mansion calendar, the
24 official Mansion calendar, a lunch with Virginia
25 researchers, a product launch for his Anatabloc at the

1 Governor's Mansion on August 30th, 2011. Mr. Williams saw
2 the event at the Mansion as an opportunity to prove to
3 those researchers at UVA and VCU that he had the
4 Governor's support for scientific studies of Anatabloc.
5 Mr. Williams was allowed to hand pick the list of invitees
6 of people that he believed would help Star Scientific.
7 And on August 30th, 2011, Mr. and Ms. McDonnell together
8 hosted Mr. Williams' event in the dining room of the
9 Governor's Mansion. Mr. Williams brought over samples of
10 Anatabloc, and he and Ms. McDonnell put the samples at
11 each place setting. Mr. Williams got what he paid for.
12 He got an event for Anatabloc at the Governor's Mansion
13 with the Governor attending, and joined by the very
14 researchers that Star was attempting to convince to
15 perform scientific studies. Star Scientific even issued a
16 press release announcing this event at the Governor's
17 Mansion. But again, you will learn that none of those
18 state researchers, people who are state employees at
19 universities whose boards the Governor had appointed, knew
20 about the \$65,000, the golf, the vacation, and that
21 Ferrari ride.

22 Now, in January of 2012, Mr. McDonnell and his
23 sons again played golf at Kinloch, that golf club out in
24 Goochland County, this time racking up almost \$1,400 on
25 Mr. Williams' tab. But in early 2012, the McDonnells also

1 needed more money to keep their vacation properties
2 afloat. And who did they turn to? Jonnie Williams. And
3 at the same time that Ms. McDonnell is asking for more
4 money from Mr. Williams, she asked him, "How are things
5 going on those studies at UVA and VCU regarding
6 Anatabloc?" You will hear that Mr. Williams told
7 Ms. McDonnell they weren't going so well, and the state
8 universities still had not agreed to conduct the studies
9 he wanted. So you will hear that Ms. McDonnell told
10 Ms. Williams that she would talk to the Governor about it.
11 And later, Mr. Williams, she told Mr. Williams that the
12 Governor was upset and wanted the names of those state
13 university officials that he had been dealing with.
14 Mr. Williams told her that he would forward the names, and
15 he did.

16 This is the first page of an e-mail from
17 Ms. McDonnell to the Governor at the top there, and she
18 cc'd Jasen Eige, the Governor's policy director. Looking
19 at the bottom of what's being forwarded here, this is an
20 e-mail to Jonnie Williams, Jr. That, not surprisingly, is
21 the son of Jonnie Williams, Sr., who we have been talking
22 about. This lower e-mail here contains of names of
23 officials at UVA that Mr. Williams needed to convince to
24 do the studies. That information was forwarded by
25 Mr. Williams, Jr., to Ms. McDonnell, and Ms. McDonnell, in

1 turn, forwarded that to two of Mr. McDonnell's e-mail
2 addresses and copying that policy director, Jasen Eige.

3 Ms. McDonnell informed Mr. Williams that she had
4 forwarded this information to the Governor, and he
5 believed that the Governor might get something done.

6 Now, Ms. McDonnell may have been the one who
7 initially asked for more money from Mr. Williams, but to
8 be clear, by mid-February of 2012, the Governor himself
9 was asking for money from Mr. Williams. Government
10 Exhibit 318, from Mr. McDonnell to Jonnie Williams,
11 February 16th, 2012. "Jonnie: Know you have been
12 slammed. Do you want me to call your lawyer on the
13 certificates and the documents? Thanks for all your help.
14 Gov."

15 Now, their original plan, the certificates, was
16 for Mr. Williams to give Star Scientific stock
17 certificates to the McDonnells for deposit in their
18 brokerage account, and then the McDonnells could take a
19 loan against the stock certificates. Now, six minutes
20 later, after that e-mail we just looked at, you will see
21 that Mr. McDonnell e-mailed Mr. Eige, "Please see me about
22 Anatabloc issues at VCU and UVA." at 12:02 a.m. on
23 February 17th, 2012.

24 Now, think about that, ladies and gentlemen. If
25 you want to know whether Mr. Williams was providing money

1 and gifts in exchange for assistance from the Governor to
2 his company, just think about whether Mr. McDonnell
3 sending an e-mail to his policy director about Anatabloc
4 issues at UVA and VCU six minutes after he is e-mailing
5 Jonnie Williams to ask for more money.

6 Now, a week after this e-mail, Mr. and Ms.
7 McDonnell had a conference call with their stockbroker, a
8 man named John Piscitelli. The McDonnells informed
9 Mr. Piscitelli, you will hear, that they actually had Star
10 Scientific shares that were being held by Star Scientific.
11 You will learn during trial that that was not true. And
12 what they didn't tell their broker was that these shares
13 were really going to be a loan from Mr. Williams.

14 Now, at the same time that the McDonnells are
15 negotiating additional money from Mr. Williams, and
16 offering to help with his studies at UVA and VCU,
17 Mr. Williams was given the opportunity to have Star be
18 recognized as a healthcare leader in Virginia, a
19 healthcare leader, at an exclusive reception at the
20 Governor's Mansion. Just like the Anatabloc launch event
21 I talked about earlier, Mr. Williams got to decide who he
22 wanted to invite to the Governor's Mansion to be
23 identified as healthcare leaders of Virginia, including
24 those researchers affiliated with Star Scientific and
25 doctors that Star was trying to convince to recommend

1 Anatabloc to their patients.

2 On February 29th, 2012, the same day as the
3 night reception at which Star Scientific invitees are
4 being recognized as healthcare leaders of Virginia, the
5 Governor and Mr. Williams, you will hear, had a private
6 meeting in the afternoon in the Governor's Office to
7 discuss ways in which Mr. Williams could secretly provide
8 the McDonnells with more money. And through it all, that
9 event that night, that reception, no one attending the
10 event knew, other than the defendants and Mr. Williams,
11 about the earlier payments of the loan -- excuse me, the
12 earlier payments or the loan that Mr. McDonnell was
13 negotiating with Mr. Williams. In the end, during the
14 week of March, 2012, the first week of March, 2012,
15 Mr. Williams simply wrote another \$50,000 check. And like
16 the other loan, there were no written loan documents.

17 Now, you will hear that Mr. Williams wrote that
18 check so the Governor would continue to assist Star
19 Scientific. And it worked. Because on March 21st, 2012,
20 Mr. McDonnell met with his cabinet secretary who was in
21 charge of the state healthcare plan for Virginia state
22 employees. The meeting was about how to reduce healthcare
23 costs in Virginia for those state employees. During the
24 meeting, Mr. McDonnell pulled out a bottle of Anatabloc
25 from his pocket and said he was taking the product and it

1 helped him. Mr. McDonnell, you will hear, then told the
2 cabinet secretary she should meet with those Star
3 Scientific folks to discuss Anatabloc.

4 Now, into the following months past that March,
5 2012 meeting, the McDonnells continued to need additional
6 money for their beach rental properties. And again, who
7 do they turn to for help? Jonnie Williams. But this
8 time, Mr. McDonnell initiated the loan. This is a text
9 message in Government Exhibit 379 from Mr. McDonnell to
10 Mr. Williams. "Jonnie: Per voicemail would like to see
11 if you could extend another 20k loan for this year."

12 And only 12 minutes after the Governor sent this
13 text message, Mr. Williams responded by simply saying,
14 "Done," and asking who to make the check out to. Four
15 days later Mr. Williams wire transferred another \$20,000
16 to the McDonnells. To Mr. Williams, this was a business
17 transaction. He was paying for the Governor's assistance.

18 Now, I've mentioned throughout this story that
19 the McDonnells did not tell Mr. McDonnell's staff or those
20 university researchers what was really going on. But we
21 will also prove during this trial, ladies and gentlemen,
22 that the concealment went much deeper than that. You will
23 see, you are going to hear about something called a
24 Statement of Economic Interests. It is a long name, but
25 it is pretty straightforward. And each year,

1 Mr. McDonnell as a state officer had to fill out a
2 financial disclosure form. This form asks a lot of
3 questions, but some of them include personal liabilities,
4 stock ownership more than \$10,000, and gifts of more than
5 \$50 from people other than personal friends.

6 Now, you may remember that the same day she
7 attended that event in Florida back in 2011, Ms. McDonnell
8 bought \$30,000 worth of Star Scientific stock. If she had
9 still owned that stock by the end of December of 2011, by
10 the end of the year, Mr. McDonnell, you will hear, would
11 have had to disclose it on his Statement of Economic
12 Interests.

13 In order to avoid having her husband have to
14 report the stock ownership, you will hear that
15 Ms. McDonnell spoke to their broker, John Piscitelli, the
16 man I mentioned earlier, and Mr. Piscitelli is going to
17 tell you that Ms. McDonnell told him that she wanted to
18 get the stock out of her name by the end of the year to
19 avoid reporting requirements. Ms. McDonnell sold all of
20 her shares of Star Scientific in the nick of time on
21 December 20th, 2011. But she was anxious to re-purchase
22 them, and on January 20th, 2012, approximately four days
23 after Mr. McDonnell filed that Statement of Economic
24 Interests, Ms. McDonnell repurchased another 6,600 shares
25 of Star Scientific stock. And you will learn that

1 throughout 2012, after they repurchased that stock,
2 Mr. McDonnell sent text messages and e-mails to
3 Mr. Williams time and time again that Mr. McDonnell was
4 following the stock. "Stock looking good," he wrote to
5 Mr. Williams. But as the year drew to a close, the
6 McDonnells did as they did before. They got rid of the
7 stock so they wouldn't have to report it. On December
8 20th, 2012, you will hear that Ms. McDonnell asked her
9 family broker, Mr. Piscitelli, to transfer 1,000 shares to
10 each of her five children. She was left with
11 approximately \$4,500 of Star Scientific stock, below the
12 \$10,000 reporting threshold at the end of the year.

13 But it wasn't just the stock, ladies and
14 gentlemen. You will learn that none of the golf from
15 Mr. Williams showed up on Mr. McDonnell's disclosure
16 forms, the \$15,000 from Mr. Williams to pay for the
17 wedding catering contract was nowhere to be found, and
18 none of the loans were disclosed in a way that anyone ever
19 could have tied back to Mr. Williams. You will learn that
20 the only time Mr. Williams or his company showed up
21 anywhere on that form was when staffers knew about
22 expenses from two vacations that Mr. McDonnell couldn't
23 have hidden if he tried.

24 So the evidence will show that the disclosure
25 forms were not the only way in which the defendants tried

1 to conceal their relationship with Mr. Williams or the
2 only way that they concealed their true financial
3 condition. Now, the McDonnells had bank lines of credit
4 and mortgages on their various properties. In October of
5 2012, Mr. McDonnell submitted his personal financial
6 statement as part of required paperwork for a loan on one
7 of his beach house rentals down in Virginia Beach. On
8 that personal financial statement, Mr. McDonnell
9 understated his liabilities. You will see that he did not
10 include any of his loans from Mr. Williams. So as the
11 calendar turned into 2013, law enforcement were
12 investigating allegations that the chef at the Governor's
13 Mansion was stealing food from the kitchen. And as part
14 of that investigation, the Virginia State Police learned
15 about a \$15,000 check that Mr. Williams had written to the
16 Mansion chef's catering company, because you will hear
17 that the Mansion chef also owned a catering company and
18 that's who was catering Cailin McDonnell's wedding. On
19 February 15th, 2013, the Virginia State Police voluntarily
20 interviewed Ms. McDonnell in her office. During that
21 interview, Ms. McDonnell told the investigators that her
22 husband had known Mr. Williams for many years and had
23 worked with him at a hospital supply company, when they
24 had not. She also said that she had written loan
25 documents from the first \$50,000 loan from Mr. Williams

1 back in May of 2011, and that she had been making periodic
2 payments on the loan, when she had not.

3 The Virginia State Police agents also asked her
4 questions about the wedding catering and the Anatabloc
5 launch at the Governor's Mansion. Now, think about that,
6 ladies and gentlemen: Why would Ms. McDonnell say these
7 things to the police if they weren't true? You will hear
8 that after the agents left and Mr. McDonnell learned about
9 the interview, he was angry. Now, February 15th, the day
10 of that interview, was the Friday before a three-day
11 weekend. Monday was Presidents' Day. So February 15th,
12 you will hear, is the day the McDonnells learned that the
13 government is investigating their relationship with Jonnie
14 Williams. At this time, this February period, the
15 McDonnells were in the midst of trying to refinance their
16 rental properties. Two weeks before the interview, the
17 defendants had submitted a loan application to Pentagon
18 Federal Credit Union. This was for, as I said, a
19 refinance of rental property. Again, just as before, you
20 will hear that they understated their liabilities, failing
21 to disclose any of the loans from Mr. Williams, even
22 though they had received almost, at least \$120,000 from
23 Mr. Williams to date.

24 And so Monday, February 18th, Presidents' Day,
25 when the banks and the Governor's Office are closed, the

1 Monday after Ms. McDonnell was interviewed by the Virginia
2 State Police and asked about those loans from
3 Mr. Williams, then and only then did Mr. McDonnell go to
4 his Governor's Office, closed, and fax a revised loan
5 application to Pentagon Federal Credit Union on which he
6 had handwritten in the loans from Mr. Williams for the
7 very first time.

8 Think about that. Before Mr. McDonnell thought
9 anyone would know about the loans from Mr. Williams, they
10 are nowhere to be found on his loan applications. But
11 when he finds out that law enforcement is asking questions
12 about loans from Mr. Williams, all of a sudden corrected
13 loan applications are sent in. And not too long after,
14 Ms. McDonnell also took her own steps to make things look
15 different than they really were. She put all of those
16 designer New York City shopping clothes into a box, she
17 drove them over to Mr. Williams' house, and you will hear
18 that they left them there with a note thanking
19 Mr. Williams for the loan of those clothes and claiming
20 that they had previously discussed auctioning them off for
21 charity. She tried to make it look like Mr. Williams had
22 merely loaned her the clothes and that she always intended
23 to return them. You will hear that neither was true.

24 Seven months after learning about this
25 investigation, you will hear that the McDonnells returned

1 all of the money and gifts to Jonnie Williams.

2 Mr. Williams gave them to the FBI, and you will see them
3 all during this trial.

4 Now, the investigation into that Mansion chef
5 led law enforcement also to begin investigating Mr. Jonnie
6 Williams for certain transactions involving Star
7 Scientific stock -- excuse me, involving Star Scientific
8 stock, that's issue one; issue two is an investigation
9 regarding the financial relationship between Mr. Williams
10 and the McDonnells. You will hear that Mr. Williams was
11 questioned by law enforcement about why he loaned all this
12 money to the McDonnells and paid for their daughter's
13 wedding reception. Mr. Williams at first lied to the
14 investigators and claimed that he was personal friends
15 with the McDonnells and that he never expected anything in
16 return. Mr. Williams is going to tell you that he lied.

17 Now, to be clear, Mr. Williams is not going to
18 be here testifying out of the goodness of his own heart.
19 He has received immunity from prosecution in exchange for
20 his truthful testimony. Mr. Williams is going to tell you
21 that what he and the McDonnells were doing was wrong, and
22 that's why they tried to hide it. He will tell you that
23 he believed in his product and he thought that making
24 these payments and providing these gifts would help his
25 business. He viewed his relationships, you will hear,

1 with the McDonnells as a business deal. And at the end of
2 the trial, you will see that it is not just Jonnie
3 Williams' testimony is the evidence. Far from it. You
4 are going to see e-mails, you are going to see business
5 records, you will hear from other witnesses, you are going
6 to see the timing of these events, and you are going to
7 have your common sense.

8 So those are the basic facts of the case. Like
9 I said, it is not everything, but it is plenty for now.

10 So that takes us to the third thing I'd like to
11 tell you this morning while I have your attention, and
12 that is, briefly, what this case is not about. This case
13 is not about Mr. McDonnell's performance as Governor.
14 This is not a case about anyone's personal feelings about
15 Mr. McDonnell as Governor, or his policies, or politicians
16 in general, about Congress, about Washington. If you hate
17 politicians, it is not about that. It doesn't matter if
18 you are an R, a D, or a Z. This case is about the actions
19 of Mr. and Ms. McDonnell that you will hear about in this
20 courtroom.

21 This case is not about whether a Governor can
22 promote Virginia business. Let us be clear: There is
23 nothing wrong with a Governor promoting Virginia
24 businesses or assisting a company in business development.
25 You will hear many times I'm sure that Mr. McDonnell's

1 campaign slogan was Bob's For Jobs. It is what he was
2 supposed to do. But just not in exchange for money.

3 And this case is not about politics as usual.
4 You will learn that not one penny of those bribes that the
5 McDonnells took was a campaign contribution. This case is
6 not about what Mr. Williams may have lawfully donated to
7 campaigns. This case is about the McDonnells lining their
8 pockets with secret gifts and cash given to them.

9 So by the end of this case, ladies and
10 gentlemen, we will prove three things to you beyond a
11 reasonable doubt. First, Robert and Maureen McDonnell
12 accepted more than \$150,000 in cash, loans, vacations,
13 golf, and luxury goods from Mr. Williams. Number two:
14 Mr. and Ms. McDonnell knew what Mr. Williams wanted, and
15 they gave it to him. And number three: Mr. and Ms.
16 McDonnell went to great lengths to hide what they were
17 doing because they were breaking the law.

18 And once the evidence is finished, we will come
19 back to you and ask that you find the defendants, Robert
20 and Maureen McDonnell, guilty of all counts. Thank you.

21 THE COURT: All right. Defendants in the order
22 you prefer.

23 MR. BURCK: Thank you, Your Honor. Your Honor,
24 ladies and gentlemen of the jury: Like you, I was
25 listening very closely to Ms. Aber as she explained how

1 the government is going to try to prove beyond a
2 reasonable doubt that my client, Maureen McDonnell, is
3 guilty of accepting bribes in exchange for official acts.
4 But she forgot to mention a simple but very important fact
5 about Maureen McDonnell. As First Lady of Virginia, she
6 had no power to perform official acts herself and no power
7 to order others to do them for her. That's because, as
8 First Lady, she was not a public official of the
9 Commonwealth of Virginia. She was not elected to office,
10 she was not an employee of the Commonwealth of Virginia,
11 and she did not receive a salary. She had no official
12 duties, no state responsibilities. Of course, like any
13 other First Lady of any other state in the Union, like the
14 First Lady of the United States of America herself,
15 Maureen McDonnell was expected to volunteer some of her
16 time to promote Virginia. Her businesses, her
17 initiatives, her people. That is all she was, a
18 volunteer. Maureen McDonnell is sitting before you today
19 accused of corruption only because of who she is married
20 to. This case at bottom is about whether or not Bob
21 McDonnell did anything to corrupt his office.

22 As you heard from Ms. Aber, the government wants
23 you to believe that Maureen McDonnell's actions as Bob's
24 wife and as a volunteer are proof that Bob McDonnell
25 corrupted his office, is a corrupt public official. Bob

1 McDonnell is the government's ultimate target in this
2 case. You heard a lot about Bob McDonnell, and you heard
3 something about Maureen McDonnell from Ms. Aber. But he
4 is the ultimate target. Maureen McDonnell is sitting here
5 today as the collateral damage.

6 Now, ladies and gentlemen of the jury, my name
7 is Bill Burck, and with me at counsel table are Heather
8 Martin and Steve Hauss. And we have the great privilege
9 to represent Maureen McDonnell in this case.

10 The government has told you what they expect the
11 evidence will show in this case. Their indictment alleges
12 that the McDonnells accepted money and gifts from Jonnie
13 Williams with full knowledge that those gifts were in
14 exchange for official acts from the Governor. It alleges
15 a quid pro quo, which is just Latin for "I scratch your
16 back, you scratch mine." So the government must have some
17 unbeatable dead-bang proof of that mutual back scratching,
18 right? Some proof that will leave no real doubt on that
19 score. Well, you heard yourself from Ms. Aber that you
20 won't see a videotape, you won't hear an audiotape, you
21 won't hear an audio recording. You won't read an e-mail,
22 a text, some thing that proves there was a corrupt
23 arrangement between my client and Jonnie Williams.

24 So why does the government believe the
25 McDonnells are corrupt? Well, as you will learn, that's

1 because they believe Jonnie Williams. And they want you
2 to believe Jonnie Williams. Because without him, there is
3 no evidence in this case against Maureen McDonnell.

4 But the real question is, which Jonnie Williams
5 are you supposed to believe? Because there have been many
6 different versions of Jonnie Williams. You know how there
7 are different versions of a cell phone, like the iPhone,
8 and you have Version 4, Version 5, and just when you are
9 getting used to that version they spring another one on
10 you and you have to get rid of that one and they tell you,
11 "Get rid of the old one, buy the new one, it fixes the
12 bugs." That's what Jonnie Williams' stories are like.

13 You are going to hear that the government didn't
14 think much of the original version of Jonnie Williams.
15 Jonnie Williams Version 1.0. The evidence will show that
16 the government and Jonnie fixed the bugs over time, came
17 up with several new versions, each one better and better
18 for the government. So what was the original Jonnie
19 Williams, Version 1.0, the one the government doesn't
20 like.

21 The very first time Jonnie Williams spoke to
22 investigators he was essentially cold-called. He was at
23 home. He was not expecting a visit from law enforcement.
24 He didn't know why they were there. He was interviewed
25 all by himself. When the investigators asked him about

1 the McDonnells, he had said he made a personal loan to
2 Maureen McDonnell. And you will hear that he told the
3 investigators he did not get anything in return for the
4 loan. He told them that he never paid her for anything.
5 He said the McDonnells were his friends and that Maureen
6 was into wellness and supported his product. Before the
7 interview wrapped up, Jonnie Williams went out of his way
8 to emphasize that he did not get anything in return for
9 the loans to the McDonnells. He emphasized again that he
10 did not ask for anything and he did not want anything.

11 The original Jonnie Williams, Version 1.0, was a
12 year-and-a-half ago in January of 2013. Then, about six
13 months later, in July of 2013, Jonnie's story changed.
14 Let's call it Jonnie Williams Version 2.0. At this second
15 meeting with law enforcement, Jonnie brings not one, not
16 two, but six lawyers with him to meet with investigators.
17 Together, Jonnie Williams and his fleet of lawyers all
18 meet up with the same prosecuting team you see here today.
19 Now, Jonnie Williams tells the government for the very
20 first time he did have an arrangement with the McDonnells.
21 Well, a kinda/sorta arrangement.

22 You see, the evidence will show Jonnie Williams
23 does not say at this meeting that he had an explicit
24 agreement with Maureen or Bob McDonnell. Instead, what he
25 tells the government is that he was looking for ways to

1 help Star Scientific, and he believed helping the
2 McDonnells would help the company. And he basically
3 believed the McDonnells understood the arrangement.
4 That's what he tells them. Ever since that second
5 meeting, 2.0, the bugs in Jonnie Williams' stories have
6 been ironed out. Version 3.0 came out in September of
7 last year. After that, the McDonnells were indicted in
8 January of this year. Version 4.0 came out at the end of
9 May of 2014, of this year, two months ago. Version 5.0 a
10 week later. Version 6.0, two weeks after that. 7.0, a
11 couple weeks after that. And less than two weeks ago,
12 right before this trial, comes versions 8 and 9. That's
13 nine different versions in about a year-and-a-half. And
14 each and every time it just keeps getting better and
15 better for the government.

16 Just to give you a taste of this, just last
17 month, in Version 5 or Version 6, I can't remember which
18 one it was, but Jonnie tells the government for the very
19 first time, and you heard this from Ms. Aber and
20 apparently this will be what Mr. Williams testifies to,
21 this is the very first time, last month, he says to the
22 government that Maureen McDonnell actually said the words
23 that she would help him in return for him helping her
24 family out financially. The very first time he has ever
25 said that she said those words. Before it was a wink and

1 a nod, it was an arrangement, that he understood they
2 understood. But a week or so after he said that about
3 Maureen McDonnell just last month, a week or so later,
4 Jonnie tells the government that actually, Maureen said to
5 him that she and Bob would help him out in exchange for
6 his financial help. But this version, of course, is a
7 whole lot better for the government than the sorta/kinda
8 arrangement the government got a year ago in Version 2.0
9 when Jonnie Williams showed up with his six lawyers. Is
10 there an e-mail or a text or a recording to corroborate
11 this? No. It is just Jonnie Williams' word.

12 So what happened? Why did Jonnie's story keep
13 changing? Well, to understand that, you need to go back
14 to that original Jonnie Williams Version 1.0. This is the
15 one where he told the investigators that he never asked
16 for anything from the McDonnells and he never
17 offered -- they never offered anything in return. This is
18 back in January of 2013. Back then, the investigators
19 didn't spend a whole lot of time asking Jonnie Williams
20 about the McDonnells. No, back then, the investigators
21 were more interested in Jonnie Williams himself. They
22 were interested in a bunch of things about Jonnie. But in
23 particular, they wanted to know about a secret transaction
24 in which Jonnie Williams gave a friend stock in his
25 company, Star Scientific, and that friend gave him in

1 return \$10 million.

2 Now, why was law enforcement interested in that
3 secret transaction? Well, you see, Jonnie Williams, as
4 you heard, was the CEO of Star Scientific. And there are
5 federal laws, federal criminal laws, that restrict what a
6 CEO can do with the stock he owns in his own company
7 without telling his investors. We have all heard of some
8 of these laws: insider trading, securities fraud. You
9 see, if Jonnie Williams secretly sold stock to a friend
10 without properly disclosing it, that could be a federal
11 crime, which could mean possible jail time and losing \$10
12 million.

13 So put yourself in Jonnie's shoes back in
14 January of last year. Law enforcement had just caught him
15 by surprise in his own home and they were asking a lot of
16 uncomfortable questions about stock transactions that
17 could land him in prison and also deprive him of \$10
18 million. Jonnie Williams had a problem. And yet, the
19 investigators had also asked him about the McDonnells, not
20 as much, but a little bit. And it didn't take a rocket
21 scientist to figure out from their questions that they
22 were interested in whether or not Jonnie had given
23 anything to the McDonnells in exchange for the McDonnells
24 helping his company.

25 The evidence will show that that's when Jonnie

1 Williams came up with the plan that he has executed. You
2 will see, you will hear that he always thought of himself
3 as a big fish. But he knew that Governor Bob McDonnell
4 was a bigger fish, especially to the government. The
5 evidence will show that Jonnie needed a way out of a \$10
6 million problem, and he found his way out through the
7 McDonnells. So again, going back to July 1st, 2013, this
8 is Version 2.0, about six months after he was visited by
9 investigators all by himself, Jonnie shows up with his
10 army of lawyers to meet with the government. He and his
11 lawyers sat down at a table across from the prosecutors.
12 The prosecutors pushed across the table an agreement to
13 Jonnie Williams and his lawyers. The agreement promised
14 that the government would not use anything he told them at
15 that meeting against him in a prosecution. But he could
16 still be prosecuted. But they couldn't use anything he
17 said against him at that meeting.

18 But that meeting was only about the McDonnells.
19 It wasn't about the stock transaction. The government
20 wasn't interested in asking Jonnie about the \$10 million
21 worth of stock fraud or anything else for that matter.
22 They wanted to hear only what Jonnie had to say about the
23 McDonnells. So Jonnie Williams had read the situation
24 right. Now the evidence will show Jonnie tells the
25 government that he did have an arrangement with the

1 McDonnells. This is Version 2.0, the kinda/sorta
2 arrangement.

3 This is what the government wanted to hear.
4 Because right after he was done talking with them, that
5 very same day, they gave him something called a full
6 immunity, a transactional immunity agreement. So right
7 before the meeting, Jonnie got a promise in writing that
8 they wouldn't use his statements against him if he were
9 prosecuted, but he could still face prosecution. Right
10 after the meeting, the same day, they gave him a much
11 better deal. "Don't worry about it, we won't prosecute
12 you so long as you provide information and testimony
13 against the McDonnells." This was a good start for Jonnie
14 Williams. But the immunity deal Jonnie got last year did
15 not cover the \$10 million stock fraud. You will learn
16 that Jonnie Williams couldn't get that deal out of the
17 government just yet. But Jonnie Williams, you will see,
18 is patient. And Jonnie Williams, you will see, is very
19 smart. Jonnie meets with the government again in
20 September of last year, that's Version 3.0. Some of the
21 bugs are then worked out from 2.0, and Jonnie waits. The
22 government then indicts Bob and Maureen McDonnell in
23 January of this year, and Jonnie waits. He waits until
24 just two months before this trial, and then the evidence
25 will show that Jonnie Williams demanded from the

1 government full immunity for the \$10 million problem and
2 all his other financial problems which had been his main
3 concern all along.

4 So who cares what Jonnie wants at this point?
5 He already had his deal. What leverage has he got on the
6 government?

7 As I mentioned earlier, Jonnie could throw in
8 new details to embellish. He could say Maureen McDonnell,
9 which she didn't say, "Quid pro quo, Mr. Williams." Quid
10 pro quo. That's what he is now saying. Before it was
11 understanding, arrangement. It was then "No, she said
12 this, not just about herself, but also Bob McDonnell." He
13 was able to offer that in exchange. But the evidence will
14 show that Jonnie Williams had a bigger ace in the hole
15 than any of that. You see, Jonnie Williams knew that the
16 government had already indicted the McDonnells, a point of
17 no return for them. He knew that a trial date was just
18 around the corner, only two months away. And he knew the
19 government needed his testimony. So Jonnie Williams held
20 out for a better deal than he had gotten a year before
21 when the government had all the leverage.

22 ///

23 ///

24 ///

25 ///

1 The evidence will show that Jonnie Williams knew
2 that his testimony was more valuable right before trial
3 than it was a year ago. So he renegotiated his deal. And
4 he got full immunity for the ten million dollars for his
5 other financial issues for his participation in this case.
6 So why did Jonnie Williams' story change so much from the
7 original Version 1.0? Because he got an out-of-jail free
8 card worth ten million dollars.

9 Now, Jonnie Williams is not the only person who
10 got immunity from the government in this case. A woman
11 named Jerri Fulkerson got one too. She got hers just last
12 week. Who is she? Well, she was Jonnie Williams'
13 personal assistant. You'll hear her name a lot in this
14 case. In fact, you may even see her on the witness stand
15 later today. And you'll see her on the stand as a
16 government witness. As the judge said, the government
17 starts first. They put on their case. It's their burden.

18 You'll hear the government gave her immunity
19 because she would sometimes sign Jonnie's name to
20 documents and then swear under oath that the signature was
21 his, not hers. You may be thinking that sounds like
22 Ms. Fulkerson forged Jonnie Williams' signature. Well,
23 the twist is that we expect Ms. Fulkerson will testify
24 that she forged his signatures on these documents at
25 Jonnie Williams' instruction, at his request.

1 So you'll hear that the government decided to
2 seek immunity from Ms. Fulkerson in a bit of a hurry
3 before they even knew what documents she may have forged
4 for Jonnie Williams. So is Jonnie Williams now in trouble
5 with the government because of the forgery? It's a
6 mystery. I guess we'll all find out when Jonnie Williams
7 takes the stand for the government.

8 Let's pause for just a moment on Jerri
9 Fulkerson. She worked for Jonnie Williams for years, and
10 she was dedicated and loyal soldier for Jonnie. She
11 believed that Jonnie valued her and the work she did for
12 him. But the evidence will show that what Jonnie Williams
13 really cared about was using her to get what he wanted
14 even if it got her in trouble. I mention this because it
15 provides an important insight into what the evidence will
16 show about who Jonnie Williams is and how he operates.

17 He uses people. He manipulates them to promote
18 his own agenda. There's no question that Jonnie Williams
19 had an agenda in 2011 and 2012. His agenda was to get
20 access to the Governor of Virginia to promote his company.
21 So how did he try to do that? The evidence will show that
22 he found a woman who was close to the Governor. He found
23 a woman who was not particularly happy or satisfied in her
24 role and was looking for something new. The evidence will
25 show that Jonnie identified a woman who he could

1 manipulate and he duped her into helping him with his
2 agenda.

3 The indictment alleges that the conspiracy in
4 this case began in April of 2011. That month Jonnie takes
5 this woman on a shopping trip in New York and buys her
6 expensive clothing. Two months later, Jonnie flies this
7 woman on a private jet to Florida for a special event to
8 learn about Star Scientific's most promising product,
9 Anatabloc.

10 In Florida, Jonnie makes the woman a true
11 believer in the product. She is convinced it has genuine
12 health benefits. So she goes out and she buys stock in
13 Star Scientific. Over the following weeks and months,
14 Jonnie has secret meetings with the woman one-on-one and
15 makes her promises worth tens of thousands of dollars.
16 Jonnie flies her on his private jet to various events, all
17 of them to promote his company.

18 And ultimately, Jonnie gets the woman to help
19 him plan a launch event for Anatabloc at the Executive
20 Mansion, all the while, the evidence will show, Jonnie
21 Williams is not telling this woman, "Hey, can you help me
22 out, give me access to the Governor so I can put my
23 product with his good name." No. Instead, he's telling
24 her how much he values her, how much he admires and
25 believes in her, how important she is to Star Scientific

1 and crucially to him. And she believes him because Jonnie
2 Williams, you will hear, can be a very convincing
3 salesman. Unfortunately, for this woman, Jonnie's real
4 motives for all the time and attention he has lavished on
5 her are revealed only too late to help that woman
6 understand what's really going on.

7 Now, you may be thinking I'm talking about my
8 client, Maureen McDonnell, but I'm not. I'm talking about
9 a woman named Mary-Shea Sutherland. Ms. Aber didn't
10 mention Mary-Shea Sutherland in her opening, which is
11 curious, because they interviewed her many times.
12 Mary-Shea Sutherland was the First Lady's Chief of Staff.
13 We expect she will also be a witness for the government in
14 this case.

15 The evidence will show Jonnie Williams duped
16 Maureen McDonnell in much the same way he duped Mary-Shea
17 Sutherland. You see, he lavished time and attention on
18 them both and, yes, gave them things to make them think he
19 was interested in them, but all the while the evidence
20 will show he was really interested only in what he thought
21 they could do for him.

22 Jonnie took both of them shopping in New York
23 and bought both of them expensive clothing. Jonnie flew
24 them both to Florida on his private jet to learn about
25 Anatabloc. He got Maureen McDonnell and Mary-Shea

1 Sutherland excited about his company and his product.
2 Both immediately bought stock in the company. Both became
3 sort of cheerleaders for Anatabloc and started using the
4 product themselves. Both flew Jonnie's jet to various
5 Star Scientific events in support of the company and the
6 product. Both did things to try to promote Anatabloc.

7 The evidence will show that Maureen McDonnell
8 and Mary-Shea Sutherland were both Jonnie's dupes. He
9 used them both in pursuit of his ultimate goal, access to
10 the Governor, and he did it with exploiting their
11 vulnerabilities and without ever letting them in on his
12 true agenda. So then why is Mary-Shea Sutherland, we
13 expect a government witness, who has not been accused of
14 any crime, while Maureen McDonnell sits before you accused
15 of public corruption?

16 Recall something very important. Maureen
17 McDonnell was not a public official. She was a volunteer.
18 You're going to hear that there's exactly one reference to
19 the First Lady of Virginia in the tens of thousands of
20 pages of laws in this Commonwealth. She is the honorary
21 chairperson of the Citizens' Advisory Council on
22 Furnishing and Interpreting the Mansion. That's it.

23 Maureen McDonnell was a private citizen. She
24 was free to take a private job for private sector pay,
25 just like anyone else who doesn't work for the state or

1 federal governments. In fact, you will hear evidence that
2 while she was First Lady, Maureen McDonnell was being paid
3 for work she did for a different nutraceutical company.
4 Ms. Aber refers to nutraceuticals as vitamins. They are
5 also known as nutraceuticals. And she was being paid for
6 sitting on the board of another company. And there is no
7 allegation, none whatsoever, that those private jobs were
8 illegal. You will hear evidence that even the
9 government's own investigators concluded very early on
10 that money to Maureen McDonnell was not illegal.

11 Now, the same cannot be said of Mary-Shea
12 Sutherland. Yes, she was Chief of Staff for the First
13 Lady, but she was actually hired by and worked for the
14 office of the Governor. Mary-Shea Sutherland was a public
15 official of the Commonwealth of Virginia. She did receive
16 a government salary. As you will hear, she was not free
17 to accept payment for services rendered to Jonnie Williams
18 or anyone else.

19 But the evidence will show that Mary-Shea
20 Sutherland, the government's own witness, was secretly
21 negotiating with Jonnie Williams for a job at the same
22 time she was employed by the Commonwealth as Maureen
23 McDonnell's Chief of Staff, at the time she was a public
24 official. The evidence will show that Mary-Shea
25 Sutherland even had a handshake deal with Jonnie for a

1 job, all the while she was working for the Commonwealth.
2 In fact, you will hear that Mary-Shea Sutherland was
3 negotiating a written contract with Jonnie Williams and
4 his lawyers to hire her as an event planner for Star
5 Scientific. And this was the same time that Mary-Shea
6 Sutherland, you will hear, was the principal person
7 planning the event for Anatabloc at the Executive Mansion
8 in August 2011. This is the same event that the
9 government wants to say Maureen McDonnell corruptly
10 hosted.

11 And you'll learn that all of these negotiations
12 between Mary-Shea Sutherland and Jonnie Williams and his
13 lawyers were concealed from Maureen McDonnell and the
14 Governor. You will hear in Mary-Shea Sutherland's own
15 words that Jonnie Williams was insistent that Mary-Shea
16 not tell the governor's office that she was leaving until
17 after the luncheon at the mansion.

18 So Mary-Shea Sutherland was secretly negotiating
19 for a job as an event planner, receiving gifts and being
20 flown around in Jonnie's private jet, all the while
21 receiving a salary from the Commonwealth and planning an
22 event for Jonnie Williams at the Executive Mansion.

23 So why does Maureen McDonnell, a private
24 citizen, stand accused and Mary-Shea Sutherland, a public
25 official, does not? Did the government give Mary-Shea

1 Sutherland immunity like they did Jonnie Williams and
2 Jerry Fulkerson just last week? Nope. Have they cut some
3 kind of secret deal with Mary-Shea Sutherland? Not that
4 we know of. Has the government accused her of any
5 wrongdoing whatsoever? No, they have not.

6 To the government, one thing makes all the
7 difference between Maureen McDonnell and Mary-Shea
8 Sutherland. Only one is married to Bob McDonnell. And
9 you will hear evidence that from very early on, long
10 before Jonnie Williams' Version 1.0 or the various
11 immunity deals, long before Maureen McDonnell was
12 interviewed by law enforcement, which you heard about from
13 Ms. Aber, the investigators in this case decided long ago
14 to go after the McDonnells.

15 But we believe the government made a fatal error
16 in charging this case. It is the same mistake Jonnie
17 Williams made. They thought they could use Maureen
18 McDonnell to get to the Governor. Why did the government
19 make that mistake? Well, they knew three things. First,
20 they knew Maureen went around the Commonwealth and a few
21 other states talking about the benefits of Anatabloc. No
22 surprise there really because Maureen McDonnell, you will
23 hear, talked about a lot of Virginia companies and that
24 was part of her job. Second, they knew that Maureen took
25 a loan and certain gifts from Jonnie Williams, and

1 finally, they knew, of course, that Maureen was married to
2 Bob McDonnell.

3 However, the evidence will show that Maureen
4 McDonnell was herself free to take gifts and loans and
5 promote Anatabloc to her heart's content. She could even
6 have a job, a salary from Jonnie Williams. She was a
7 volunteer. She wasn't a public official. But not so
8 fast, the government will say. She had a bad motive for
9 doing these things. She was doing them in cahoots with
10 her husband to sell his office to Jonnie Williams.

11 But here's the reality of what the evidence will
12 show in this case. Maureen has a passion, a deeply seeded
13 passion, for nutraceuticals -- again, what Ms. Aber
14 describes as vitamins -- that long predates her friendship
15 with Jonnie Williams by decades. This passion arose from
16 serious health problems she had when she was a young
17 adult. She had a breast cancer scare when she was a
18 teenager, and after that, she changed the way she lived
19 her life and started taking nutraceuticals. And she
20 developed, as she saw friends and loved ones, benefit from
21 these vitamins, these nutraceuticals. She even had her
22 children take nutraceuticals, including Anatabloc. And
23 for 30-plus years Maureen McDonnell has marketed and sold
24 nutraceuticals to supplement her family's income. You
25 will hear she was fortunate enough to work in a field in

1 which she actually believed in the product.

2 You will hear from multiple witnesses that
3 Maureen truly believed in the health benefits of
4 nutraceuticals and the promise of Anatabloc. You will
5 hear evidence that Maureen bought Star Scientific stock at
6 the very beginning of the supposed conspiracy and she
7 still owns it today, despite everything, despite the fact
8 the stock collapsed.

9 The evidence will show Maureen was not promoting
10 Anatabloc as part of a quid pro quo. No. You will hear
11 from the government's own witnesses that she was a true
12 believer who, quote, drank the Kool-Aid. What Maureen did
13 for Jonnie Williams she did because she believed in his
14 product and his company and him, not as part of some
15 scheme she cooked up with her husband.

16 But there's another problem with the
17 government's story, and this one goes right to the heart
18 of the alleged conspiracy between my client and her
19 husband. Now, this entire case has been a source of great
20 embarrassment and anxiety for my client, as you can, no
21 doubt, imagine, but sadly, we have no choice but to push
22 even further to the private lives and private difficulties
23 of my client and her husband because the government has
24 charged the couple as co-conspirators.

25 The government's version of events rests on an

1 important assumption; that Bob McDonnell and Maureen
2 McDonnell must have agreed to sell his office because,
3 well, they are married. But at the time of the supposed
4 conspiracy, the McDonnells' marriage had broken down and
5 they were barely on speaking terms. They put on a brave
6 face for the public. After all, Bob McDonnell was the
7 Governor, and no one wants to make their own marital
8 problems the subject of gossip.

9 But the sad reality is the marriage was not
10 working. It hadn't been for some time, and the pressure
11 of life in the Executive Mansion made things worse.
12 You're going to see e-mails to those effect. You won't
13 have to take my word for it.

14 You will hear evidence that Maureen McDonnell
15 had a difficult time transitioning to her role as First
16 Lady. It was never something that she wanted. She had
17 never managed a staff before. She had lived all of her
18 life out of the spotlight, raising her five kids and
19 managing all of it. Now she was in this Executive Mansion
20 and she felt overwhelmed by the expectations of others and
21 she did not think she was up to the task of being the wife
22 of the Governor of Virginia. She was deeply uncomfortable
23 and stressed in this new role and she became frustrated
24 and often angry. Maureen oftentimes lost her temper with
25 her staff and with her husband.

1 All this was made worse by the extraordinary
2 demands on Bob's time and attention that this job
3 required. He regularly worked 15, 16, 17 hours a day and
4 traveled all the time, usually leaving her back at home.
5 She felt alone. The few times they had any private time
6 together, they spent almost none of it really
7 communicating the way a husband and wife should. And it
8 was these feelings of isolation, anger and anxiety that
9 made it so easy for Jonnie Williams to swoop in and fill
10 the void in Maureen's life.

11 Maureen immediately gravitated toward Jonnie.
12 He showered her with attention she craved. He gave her
13 personal gifts. He helped her out financially. He
14 listened to her. He spent time with her. He even shared
15 with her a genuine passion for nutraceuticals, or vitamins
16 as Ms. Aber refers to them. She admired Jonnie Williams
17 and had affection for him. You'll even hear evidence that
18 she had a crush on Jonnie Williams.

19 Jonnie Williams was larger than life to Maureen
20 McDonnell, but unlike the other man in her life, Jonnie
21 paid attention to her. He seemed to respect her views on
22 things. He seemed to respect her views on things that
23 were very important to both of them.

24 Maureen McDonnell came to genuinely care about
25 Jonnie Williams, and she believed Jonnie Williams

1 genuinely cared about her. To Maureen, they were very
2 close friends and Maureen was proud of her friendship with
3 Jonnie Williams.

4 The government said that they hid this
5 relationship. Well, Maureen traveled with Jonnie Williams
6 to public events. It's part of their evidence of a
7 supposed quid pro quo. She went on vacation with Jonnie
8 and their respective spouses. Everyone on the staff, you
9 will hear, knew how much Maureen loved hanging out with
10 Jonnie Williams. You will hear evidence that Maureen was
11 very protective, some might even say jealous of her
12 relationship with Jonnie Williams. She would get prickly
13 when she thought others were encroaching on that
14 friendship or failing to appreciate that Jonnie Williams
15 was her friend first and foremost.

16 You'll hear from witnesses that Jonnie was a
17 frequent visitor to the mansion, that many of these visits
18 were spontaneous, that Maureen and Jonnie usually met
19 privately either upstairs in the mansion or in Maureen's
20 basement office, and we expect you'll hear one government
21 witness describe Jonnie Williams as Maureen's, quote,
22 favorite playmate.

23 To give you an idea of the extent of the
24 relationship, between April 2011 and February 2013, that's
25 the scope of the conspiracy alleged by the government, the

1 evidence will be that Bob McDonnell and Jonnie Williams
2 spoke by phone or text message about 60 times. By
3 contrast, during that same period, Maureen and Jonnie
4 shared over 1,200 phone calls and texts, during the same
5 period. That averages out to 2 or so calls or texts every
6 day, 7 days a week, 365 days a year. And you'll hear that
7 Maureen hid much of what Jonnie Williams gave her from her
8 husband. She didn't tell her husband about the clothing
9 that Jonnie bought her in New York. She didn't tell Bob
10 about the 50,000-dollar loan from Jonnie until after she
11 started spending the money. And three times, three times
12 she hid from her husband her purchase of Star Scientific
13 stock.

14 Maureen McDonnell accepted gifts from Jonnie
15 Williams, who you'll hear from witness after witness,
16 loved to flaunt his wealth because she liked Jonnie
17 Williams quite a bit and she thought he liked her too.
18 The evidence will show that Maureen McDonnell and Jonnie
19 Williams had a relationship that some would consider
20 inappropriate for two people who are not married to each
21 other.

22 Maureen McDonnell helped promote Star Scientific
23 and Anatabloc because she believed in them, and as a
24 private citizen, there is nothing illegal about any of
25 that, and as a private citizen, she was free to live her

1 life in whatever way she liked so long as she did not
2 conspire with her husband to corrupt his office.

3 The government will not be able to prove a
4 conspiracy between Maureen and Bob McDonnell because there
5 is no credible evidence that a conspiracy existed because
6 you will hear the very foundation of their marriage was
7 broken long before Jonnie Williams appeared on the scene.

8 Now, before I wrap up, I want to touch briefly
9 on the other charges against my client. First, the
10 government claims the McDonnells made a false statement to
11 a bank when they submitted a joint application and did not
12 list the loans from Jonnie Williams. The evidence will
13 show that Maureen McDonnell barely had anything whatsoever
14 to do with preparing this loan application, nor will there
15 be any evidence that Maureen actually reviewed the
16 application. The evidence will be that Maureen signed a
17 piece of paper that was put in front of her by her
18 husband. That's it.

19 The government also alleges that Maureen
20 attempted to obstruct the grand jury investigation when
21 she returned clothing to Jonnie Williams. Now, I want to
22 be clear about this. You heard from Ms. Aber that there
23 was an interview conducted by the Virginia State Police of
24 my client in February of 2013, and they allege that she
25 made some false statements in that interview. They do not

1 charge that in this case. This case is not about whether
2 or not she told the truth in that interview.

3 You will actually hear, with respect to that
4 interview, that the claims that the police make about what
5 she said in a typed up document about having a written
6 contract, periodic payments are totally contradicted by
7 the handwritten notes that were taken contemporaneously
8 when she was being interviewed by the police and that she
9 never said written contract and she never said periodic
10 payments, that that was false. What the police wrote in
11 the typed up notes that Ms. Aber referred to was false.
12 That's important for me to point out now. You'll see it
13 and you'll hear it for yourselves.

14 But that's not what they charge here. They are
15 charging something unrelated to that interview. They are
16 talking about a handwritten note that Maureen McDonnell
17 sent to Jonnie Williams after this investigation became
18 known to them.

19 As part -- with that handwritten note, she
20 returned some dresses that Jonnie Williams had bought,
21 some of the dresses, for example, that he bought in New
22 York. But Maureen McDonnell could not have intended to
23 obstruct the grand jury. The evidence will show that when
24 Maureen returned the dresses, she had no idea a grand jury
25 had even started. In fact, the evidence will show she was

1 told there was no grand jury or federal investigation at
2 all.

3 How could she intend to obstruct a grand jury
4 investigation that she was told didn't even exist? And
5 you will learn that there was no grand jury investigation
6 at the time she sent this note. But even if she had known
7 about it and the grand jury had existed, there's nothing
8 wrong with what Maureen McDonnell did, as you'll see in a
9 moment. She returned the dresses that Jonnie Williams had
10 bought, and the government doesn't charge the return of
11 the dresses themselves as being the obstruction. No. The
12 government says again that it's the handwritten note that
13 Maureen wrote to thank Jonnie Williams for the dresses,
14 which falsely suggests that Jonnie and Maureen had agreed
15 all along that she would return them. But it is plain as
16 day that the letter says no such thing. The government
17 mentioned this letter, but they didn't show it to you. So
18 I'm going to show it to you. This is their evidence.

19 So this is the note. And we'll blow up the --
20 you'll get to see this. You won't have to take my word
21 for it. You'll get to read it to your heart's content.
22 The letter does not say that Maureen McDonnell and Jonnie
23 Williams had talked about returning the dresses. The only
24 thing it says they had talked about was charitable
25 organizations.

1 Can you blow it up?

2 It's a little hard to read because it's
3 handwritten, but please go ahead. "If not, I'm sure there
4 are many exemplary charitable organizations like we talked
5 about who would welcome the opportunity to auction them
6 for a wonderful cause."

7 Their case on obstruction comes down to the
8 words "like we talked about." Now, I'm not a
9 grammarian. I'm not an English professor. But if you
10 read that -- those lines and you read what it says, she
11 says, "many exemplary charitable organizations like we
12 talked about." She doesn't say anything about having
13 agreed with him before to return dresses to charitable
14 organizations. She's talking about charitable
15 organizations they talked about. The evidence will show
16 that Maureen and Jonnie had not only talked about
17 charitable organizations, they had actually attended
18 events for charitable organizations together.

19 Can you take that down?

20 The government wants you to believe this case is
21 about a husband and wife who were partners in crime,
22 Bonnie and Clyde, trading the governor's office for money
23 and gifts, but once the evidence is in, you will see that
24 the government's theory of the case cannot be reconciled
25 with the facts. No. The government's case begins and

1 ends with the word of Jonnie Williams. Ms. Aber went out
2 of her way to say it's not about Jonnie Williams, it's
3 about all this other stuff. But you'll see, it's about
4 Jonnie Williams, a man with everything to gain and nothing
5 to lose by claiming that Maureen McDonnell's heart and
6 mind were infected by the same corruption that he now says
7 motivated him.

8 The government trusts Jonnie Williams, but that
9 doesn't mean you have to. Jonnie Williams is very good at
10 using people to get what he wants. Jonnie Williams duped
11 Jerri Fulkerson. That's the woman who forged his
12 signature at his request, his personal assistant for many
13 years. He duped Mary-Shea Sutherland, who we talked
14 about. He duped Maureen McDonnell, and the evidence is
15 going to show that he even duped the Department of
16 Justice.

17 We are confident that after you have heard and
18 seen all the evidence in this case, Jonnie Williams will
19 not doop you and you will find that Maureen McDonnell is
20 not guilty on all of these charges. Thank you.

21 THE COURT: All right. We're going to take a
22 15-minute break before the next opening statement.

23 Mr. Marshal, if you would take the jury.

24 (The jury left the courtroom.)

25 (Recess taken from 12:00 p.m. to 12:22 p.m.)

1 THE COURT: Bring in the jury, please.

2 MR. DRY: Judge, just one point. I've been
3 admonished before not to stand when the jury comes into
4 the courtroom in this courthouse, and I just wanted to
5 make sure that we knew what the rules of engagement were.
6 I think defense counsel were standing up. We have no
7 problem with standing up when the jury comes in. We just
8 want to know what the rules of engagement are.

9 THE COURT: I don't have any rule. If you want
10 to stand up when they come in, fine. If not.

11 MR. DRY: Thank you, Your Honor.

12 (The jury entered the courtroom.)

13 THE COURT: All right. Counsel for
14 Mr. McDonnell.

15 MR. BROWNLEE: Good afternoon. Bob McDonnell is
16 an innocent man. The evidence at this trial will make it
17 clear that Bob McDonnell never entered into an illegal
18 agreement with Jonnie Williams, nor did he ever promise to
19 provide him any official benefits.

20 The evidence will show that the federal
21 government's case depends almost entirely on the testimony
22 of a dishonest man who they cut a deal with so that he
23 would change his story, and Mr. Williams now has been
24 fully immunized for multi-million-dollar securities and
25 tax crimes that have absolutely nothing to do with Bob

1 McDonnell. At the end of the day, there will be no
2 evidence that Bob McDonnell, our former Governor, did
3 anything to corrupt his office or betray his oath to our
4 citizens. Bob McDonnell is someone who has lived a life
5 of public service and governed with integrity and purpose.

6 After Bob graduated from Notre Dame, he joined
7 the Army. He served 21 years in the United States Army
8 and Army Reserves, and his oldest daughter, Jeanine,
9 served in the Iraq war. He was a state prosecutor, making
10 his community and our state safer and better. He served
11 as Attorney General and Governor, earning the reputation
12 of being one of Virginia's most successful modern day
13 governors.

14 Bob helped pass important legislation. Helped
15 grow the economy. He and his team helped put nearly
16 80,000 unemployed Virginians back to work and he made
17 restoration of voting rights and prisoner re-entry a
18 cornerstone of his administration. Bob worked 14 to 16
19 hours a day, practically every day, in order to do that,
20 and he did it all while living under the spotlight and
21 glare without a hint of scandal or impropriety.

22 These prosecutors are now asking you to ignore
23 all of it and simply assume because they cannot prove that
24 Bob McDonnell threw it all away so he could get part of a
25 catering bill paid for his daughter's wedding. Ladies and

1 gentlemen, that did not happen.

2 Now, Ms. Aber told you this morning that their
3 investigation began in 2013. As you will learn, that
4 simply isn't true. Their investigation began in early
5 2012. In fact, let me take you back to May 23rd, 2012.
6 From today's date, that's a little over two years ago.

7 On that date, the government's lead
8 investigator, Agent Charles Hagan, had a meeting with his
9 superiors and members of their team to discuss the
10 progress of an investigation into a man named Todd
11 Schneider, who had been the chef at the Governor's
12 Mansion. Mr. Schneider had been accused of stealing some
13 food.

14 During the meeting, Agent Hagan reviewed some of
15 the evidence against Chef Todd and discussed his possible
16 defenses. He also told his team that they had learned
17 that Ms. McDonnell had developed a very close relationship
18 with and had been taking gifts from a local wealthy
19 businessman named Jonnie Williams. Agent Hagan's notes
20 show that the meeting ended with the agents making some
21 important conclusions about Bob and Maureen McDonnell's
22 conduct and raised questions on how their investigation
23 would proceed.

24 First, the lead investigator confirmed the
25 McDonnells' innocence in writing when he wrote that money

1 and gifts to Maureen McDonnell were not illegal, that
2 there was a loophole and that the Governor was not
3 required to list on his disclosure form gifts to his wife.

4 Next, the investigators had real concerns about
5 Jonnie Williams, questioning whether there were possible
6 securities violations committed by Mr. Williams and that
7 he may have committed fraud in obtaining financing for his
8 company. Lastly, the investigator's notes show that they
9 focused their attention on how they could use Williams to
10 go after the McDonnells. Before you is an excerpt from
11 his notes.

12 Now, ladies and gentlemen, May 23rd, 2012, was
13 nearly eight months before federal investigators ever
14 talked with Jonnie Williams and it was nine months before
15 these agents interviewed Ms. McDonnell and it was long
16 before Bob McDonnell ever considered submitting a loan
17 application to these banks.

18 Now, the government's thinking, over two years
19 ago, about going after the McDonnells and to do so by
20 using Jonnie Williams, a man they had never even met,
21 raises serious doubts about their case. Importantly, the
22 evidence will show that what was contemplated by the
23 government over two years ago became a reality when they
24 charged Bob McDonnell with crimes that he did not commit.

25 The evidence will show that during the past two

1 years the federal government has read nearly every single
2 e-mail Bob McDonnell either wrote or received during his
3 time in office. They read scores of his text messages.
4 They studied his personal papers and his bank records.
5 They forced his five children, both his son-in-laws, and
6 his youngest sister into the federal grand jury for hours.
7 They interviewed his entire staff and cabinet on multiple
8 occasions, one as many as 15 times. They subpoenaed his
9 accountant and had the IRS thoroughly review his tax
10 returns, searching for any possible problem.

11 They interviewed his neighbors, his closest
12 advisors. They even traveled to California and
13 interviewed former Presidential Candidate Mitt Romney and
14 his wife Ann, hoping to find someone to say something bad
15 about Bob McDonnell. And you know what? They came up
16 empty. They couldn't find a thing.

17 And to show their desperation in trying to find
18 something bad, anything bad about Bob, the prosecutor in
19 this case used the Governor's security detail, the people
20 whose job it was to protect Bob McDonnell and who were
21 with him every day of his governorship, they had him
22 eavesdrop on his private conversations and then report to
23 federal investigators what they saw and heard. And do you
24 know how many crimes they reported about Bob McDonnell?
25 None. Zero. Nothing.

1 Ladies and gentlemen of the jury, my name is
2 John Brownlee and it is a distinct privilege and honor for
3 me, as well as my co-counsel, Hank Asbill, to appear
4 before you today on behalf of Bob McDonnell. It is also
5 an honor for me to be in the courtroom of the
6 United States Judge -- United States District Judge James
7 Spencer. And, Your Honor, thank you.

8 The federal government wants you to believe that
9 Bob McDonnell corrupted his office, betrayed his oath by
10 selling the governorship of Virginia to Jonnie Williams in
11 exchange for a wedding gift to his daughter, a couple of
12 golf matches with his sons, a few dinners, and a loan to a
13 business he owns with his youngest sister. And they want
14 to try to do all of this while acknowledging, as they did
15 this morning, that Jonnie Williams got nothing from the
16 taxpayers of Virginia.

17 The evidence in this case is uncontested that
18 Jonnie Williams didn't get a state grant. He didn't get a
19 state contract. He didn't get a state loan. He didn't
20 get a state board position. He didn't get a special piece
21 of legislation. He didn't get anything in the state
22 budget. He didn't get any funds from this Tobacco
23 Commission. In fact, the evidence will be, he never even
24 applied for any.

25 As taxpayers here in Virginia, you can all rest

1 assured that neither Jonnie Williams, nor any of his
2 companies, got one dollar from taxpayer money from the
3 administration of Bob McDonnell. And the evidence will
4 show that not only did he not get anything from the
5 administration, he never really even asked for anything.
6 And yet despite the clear evidence that Mr. Williams
7 didn't get anything from the taxpayers of Virginia, the
8 federal government is going to try to convince you that he
9 got something.

10 So what have they come up with? Setting up a
11 couple of meetings, attending an event at the Governor's
12 Mansion in which -- which is important -- the company gave
13 money to the state of Virginia and that Bob McDonnell said
14 nice things about Mr. Williams' company and his products.
15 And the supposed promise to do more that the government
16 talked about today for which there is no credible evidence
17 is simply not enough for a federal criminal corruption
18 case.

19 So first, the meetings. The evidence will show
20 that referring constituents for meetings is what
21 politicians do. It's why the politicians are there, to
22 help citizens get access to their government and a chance
23 to make their pitch. Criminalizing this bedrock principal
24 of arranging meetings for constituents, for donors and
25 non-donors alike, would make felons virtually of every

1 person who has ever held a public office. That is not the
2 law, and the evidence in this case will not support it.

3 In four years in office, Bob McDonnell asked
4 members of his staff and cabinet to meet with Mr. Williams
5 on just two occasions, once in 2010 and again in the
6 summer of 2011. The request in 2010 occurred before
7 Mr. Williams gave the McDonnells any gifts or loans,
8 proving that Bob McDonnell didn't need a gift from Jonnie
9 Williams for him to be a supporter of his company. Also,
10 the evidence will show that all Mr. McDonnell did was ask
11 that the meetings be held. He didn't tell anyone to help
12 Mr. Williams, nor did he even follow up on the meetings.
13 What Bob McDonnell did, in asking his staff and cabinet to
14 meet with Williams, was routine, appropriate, and
15 perfectly legal.

16 Second, this mansion event. Here, Mr. Williams
17 requested an opportunity to come to the Governor's Mansion
18 and give two state research universities, UVA and VCU,
19 each \$25,000 in research grants. Mr. McDonnell stopped by
20 the event for about 45 minutes, made some casual remarks
21 supporting medical research in Virginia, asked a few hard
22 questions and left before the event was over. Again, the
23 evidence will show that Mr. McDonnell did not pressure
24 anyone to help Mr. Williams, nor did he follow up on the
25 event.

1 Lastly, the evidence will show that on a few
2 occasions Bob said nice things about Star Scientific, a
3 Virginia public company for which Jonnie Williams was CEO.

4 Ladies and gentlemen, saying positive things
5 about a Virginia business is what Bob McDonnell always
6 did. That's who he was as Governor. He was Bob's for
7 jobs, creating jobs, promoting Virginia businesses,
8 getting Virginians back to work. That's what he was all
9 about, and Bob traveled all over the state, around the
10 country and to many foreign countries with that same
11 message. It was come to Virginia. We are the most
12 business-friendly state in America.

13 Now, the evidence will show that no one had to
14 pay Bob McDonnell to get him to use a Virginia product or
15 say nice things about a Virginia company. Bob McDonnell
16 eats Virginia ham, he drinks Virginia wine, and my guess
17 is if the man smoked, he would smoke Virginia cigarettes.
18 His whole purpose of Governor was supporting and promoting
19 every Virginia business he could. I'd like you to watch
20 just two short video clips to demonstrate that.

21 (Video Played.)

22 (Video Ended.)

23 MR. BROWNLEE: Ladies and gentlemen, these two
24 examples of many show what Bob's job was as Governor. It
25 was his mission. It was his passion, and it helped

1 Virginia dig out of one of the biggest economic recessions
2 in 80 years. The easiest thing for a Virginia business to
3 get was a kind word about its product from Governor Bob
4 McDonnell. And the government's attempt to build a
5 corruption case based on Bob McDonnell's promotion of a
6 Virginia business is deeply flawed and cannot be
7 sustained.

8 Now, Ms. Aber talked about concealment. The
9 government's case alleges that Bob McDonnell concealed his
10 relationship with Jonnie Williams. Ladies and gentlemen,
11 Bob McDonnell never hid anything from anyone. In fact,
12 he's the only major player in this entire drama who has
13 been completely open about everything.

14 You aren't going to see Jonnie Williams' text
15 messages. You're not going to see Mary-Shea Sutherland's
16 either. You're going to see his, and you'll see the
17 thousands of documents, personal notes, schedules, logs
18 that he had. He turned over everything they asked for,
19 and the evidence at trial will make it completely clear
20 that Bob isn't hiding anything.

21 Now, you won't have to take my word for it
22 because Bob McDonnell is going to tell you that himself.
23 You see, Bob McDonnell is going to take that chair right
24 there and he is going to tell you what happened, what he
25 did and why he did it. Bob is going to take the stand and

1 swear on everything that is holy and dear to him and tell
2 you the truth about these false accusations. He will
3 answer every single question that Judge Spencer deems
4 appropriate. He was not hiding anything before, and he
5 will not hide anything now.

6 Now, remember, he has no obligation to take that
7 stand. He has no obligation to say anything in response
8 to these allegations. It is the prosecutor's burden to
9 show that he is guilty. It is not his burden to show that
10 he is innocent, but he is going to take that stand anyway
11 because that's who he is. He will not hide from their
12 false accusations. That's because Bob McDonnell is a man
13 of integrity. And his integrity, his character, and his
14 testimony will convince you that he is an innocent man.

15 In this trial you are going to hear from
16 impressive people who grew up with Bob McDonnell. People
17 who have known Bob his entire life. People who have
18 worked alongside Bob in the trenches of political
19 campaigns in the governing of our Commonwealth. People
20 who have seen Bob when he was physically and emotionally
21 exhausted and at the times of maximum stress, when even
22 the most disciplined person's true character is exposed.
23 These people will be your X-ray machine into Bob's soul,
24 and they will tell you that Bob McDonnell is truthful,
25 law-abiding, decent, and totally dedicated to public

1 service. Bob McDonnell is not a perfect person, but they
2 will tell you he is an honest man and the most -- least
3 cynical person they know.

4 Now, the prosecutors have to convince every
5 single one of you beyond a reasonable doubt that Bob
6 McDonnell is guilty of the crimes that they have accused
7 him. That is the highest standard in American law. But I
8 submit, we will prove to you that the prosecutors are
9 wrong about who Bob is and that they have made a grievous
10 mistake in accusing this man of these crimes.

11 The evidence will show that Bob McDonnell
12 doesn't care about material possessions. He's not greedy.
13 He was not financially desperate and Mr. Williams was not
14 his only option for a loan. Witness after witness will
15 tell you that. He is a humble man of great faith who is
16 thankful every day for the incredible opportunity he had
17 had to serve the people of Virginia. He is a trusting man
18 who gives the benefit of the doubt to every person he
19 meets and you will see that that trait, that very trait,
20 that honorable trait is a major reason now that he faces
21 the biggest challenge of his life.

22 The government's case is remarkable for what it
23 lacks because there will be no credible evidence offered
24 in this case that Bob McDonnell promised Jonnie Williams
25 anything. There is not a document, an e-mail, a text

1 message, a recording, a photo, a video or anything that
2 shows any agreement or promise between Jonnie Williams and
3 Bob McDonnell. There's nothing. Even Jonnie Williams, in
4 an unguarded moment of candor, denied emphatically that
5 any such agreement or corrupt relationship existed between
6 himself and Bob McDonnell.

7 Now, as Mr. Burck told you, on January 23rd,
8 2013, federal agents traveled to one of Mr. Williams'
9 homes in Florida to interview him. At that time he had no
10 lawyer. Mr. Williams made it clear that Bob promised him
11 nothing. Williams told the investigators that he never
12 asked for anything from Bob and never expected anything
13 from him. And in May 2013, just a few months later, Star
14 Scientific put out a public statement reaffirming
15 Mr. Williams' admission to the FBI that Bob McDonnell had
16 done nothing wrong or illegal.

17 But that's not all. The evidence will also show
18 that Bob never asked a single person in Virginia
19 government to do anything for Jonnie Williams except hear
20 him out. Bob never twisted arms. He never banged on
21 doors. He didn't put the screws to anyone. He didn't do
22 anything besides let Jonnie Williams make his pitch to the
23 experts on his staff who Bob knew would make an
24 independent and professional judgment about what to do
25 with Jonnie Williams and his products. Bob hired these

1 people for their integrity and independence, and that is
2 exactly what they gave him in return, and the evidence in
3 this case will make that crystal clear.

4 The evidence will also show that the reason
5 Jonnie got nothing and the reason Bob never tried to make
6 anyone give Jonnie anything is because there was simply no
7 conspiracy. There was no plan. There was no agreement.
8 There was no under-the-table deal. There were no secret
9 conspiratorial meetings or phone calls and there was no
10 scheme to defraud. That, ladies and gentlemen, is what
11 the evidence will show.

12 The evidence will also show that Jonnie was nice
13 to Bob and generous to his family and that that generosity
14 was perfectly legal under Virginia law. Now we know that
15 Williams' generosity was all a sham and he was actually a
16 false friend. The evidence will show that Jonnie is lying
17 if he claims that Bob ever promised him everything or gave
18 him anything in exchange for that generosity. Plain and
19 simple, ladies and gentlemen, Jonnie deceived Bob. Jonnie
20 deceived and manipulated Maureen. Jonnie deceived and
21 manipulated Mary-Shea Sutherland, and Jonnie did it again
22 to his long-time personal aid, Jerri Fulkerson. Jonnie
23 deceived his companies and its lawyers. Jonnie misled the
24 thousands of investors who entrusted his company with
25 their hard-earned money. And the evidence will show that

1 Jonnie Williams, the master manipulator, deceived these
2 prosecutors and agents who brought this case and convinced
3 them to think the worst about Bob McDonnell.

4 And he did it to save himself from losing
5 millions of dollars and potentially going to prison for
6 securities and tax crimes that have nothing to do with Bob
7 McDonnell and for which now the federal government has
8 provided him total and full immunity, the value of which
9 is immense to Jonnie Williams.

10 Now, Bob McDonnell was a good Governor because
11 he was one of the hardest working people in Virginia. He
12 was always working, always at events, always traveling,
13 always on the go. And over his four years as Governor,
14 according to his staff, he held over 3,600 meetings, spent
15 4,600 hours away from home. I think that's about half of
16 the entire four-year term. He gave hundreds of speeches,
17 attended even more events, worked 14 to 16 hours a day all
18 through the year. Bob McDonnell hired an extraordinarily
19 hardworking and talented staff and cabinet and empowered
20 everyone on that talented staff to do their very best too,
21 all following his example.

22 But, ladies and gentlemen, his hard work and his
23 dedication, and particularly his time away, it took a
24 toll. It took a toll on his family, and it took a
25 terrible toll on his wife. Bob McDonnell, by all

1 accounts, was a good Governor. He was good at raising or
2 helping to raise his five children and he loves them
3 immensely, but the evidence will show he was not nearly as
4 successful as a husband. In his life, something had to
5 give and it was his marriage. The only thing that the
6 government now offers to prove that he was conspiring with
7 his wife.

8 Bob did try to keep private, while he was
9 Governor, the most personal and difficult aspects of his
10 marriage. Bob tried to shield the dysfunction of his
11 marriage from his youngest children and from the public.
12 But now you will hear evidence about what happened behind
13 closed doors with Maureen. You will hear that no matter
14 how hard it got or how hard he struggled, he did his level
15 best to help his wife. Bob never criticized his wife in
16 public. He never humiliated her. He never scorned her,
17 and he never did anything to diminish her. He did
18 everything he could to help Maureen to give her confidence
19 and self-esteem. He did everything he could to give her
20 initiatives she could promote and tried to help her be the
21 best First Lady she could be.

22 He hired a team of professionals, including
23 someone he thought was highly competent, Mary-Shea
24 Sutherland, as Maureen's Chief of Staff. He thought
25 Mary-Shea would help Maureen, would guide her and protect

1 her in this new role. He trusted Mary-Shea to steer
2 Maureen wisely and responsibly and to help Maureen cope
3 with the demands of a public life that had caused her
4 tremendous stress and anxiety. That's why Bob asked
5 Mary-Shea not to leave.

6 But no matter what he did to hold everything
7 together, it was never enough. As Mr. Burck alluded to,
8 Bob and Maureen's communications broke down almost
9 entirely and Ms. McDonnell's resentment and anger and
10 sadness grew as their marriage fell apart. Bob reached
11 out to try to bridge this gap and he wondered why, why
12 this happened.

13 She said she hated him. She was angry for not
14 having what she thought was enough money. She was angry
15 at him for not spending enough time at home with her, and
16 she hated him for not being around, for serving the public
17 night and day, and having nothing left for her. And this
18 broke their marriage apart. And it created a rift so wide
19 that an outsider, in this case another man, could invade
20 and poison the marriage.

21 I want to let you know how difficult this is for
22 Bob McDonnell. Although he has been in public life for
23 many years, you will hear he is and remains a very private
24 man. As you can imagine, to be forced to discuss his
25 troubled marriage in public with total strangers goes

1 against every fiber of his being as a man and as a husband
2 and as a father. But Bob has agreed to open up his
3 marriage and his life to you so you can properly assess
4 for yourself his character and their charges.

5 Bob McDonnell will invite all of you to evaluate
6 his life, both successes and sorrows, all so that you can
7 see for yourselves that the government's allegation that
8 he was conspiring with his wife, and later with
9 Mr. Williams, is simply not true.

10 Back in September of 2011, Bob sent Maureen a
11 long e-mail after a weekend in which she was extremely
12 angry at him. The e-mail shows him begging her to help
13 save the marriage. You are going to read this e-mail, an
14 e-mail, quite frankly, that no one besides a husband and
15 wife should ever read. It will show you just how broken
16 things were in their marriage. An e-mail he sent right in
17 the middle of their supposed conspiracy. But that e-mail,
18 which Bob will read to all of you, fell upon blind eyes
19 and deaf ears for that evening Maureen was distracted with
20 other interests.

21 The prosecutors in this case are going to attack
22 Bob's integrity and character at every turn, claiming that
23 he's entitled, claiming that he's greedy, claiming that he
24 was financially desperate. You will hear a lot of
25 evidence about disclosure in this trial and you will hear

1 innuendo about Bob hiding things, but the evidence will
2 show that Bob was hiding in plain sight. As Governor of
3 Virginia, as head of the Republican Governor's Association
4 and as a possible running mate for Mitt Romney, Bob had no
5 privacy, none. All day, everywhere, people were watching
6 him, scrutinizing him, paying attention to everything he
7 said and to everything he did.

8 Now, ladies and gentlemen, over the next several
9 weeks, we are going to address head-on each of the
10 government's allegations. One by one, we will show you
11 why everything they accuse Bob McDonnell of doing was
12 wrong.

13 For instance, Ms. Aber, this morning, said that
14 Bob lied to two banks when he was seeking refinancing on a
15 couple of properties. She claimed that Bob intentionally
16 left off Mr. Williams' loans. What she forgot to tell you
17 is that Bob has been friends with the president of
18 TowneBank for 20 years and started doing business with
19 PenFed when he was a young soldier in the Army nearly 40
20 years ago.

21 She also didn't tell you that neither bank ever
22 claimed it had been lied to or that any of the forms
23 submitted were false. In fact, the very bank that the
24 government alleges Bob supposedly lied to renewed that
25 very loan a month after the government returned its

1 indictment. The evidence will show that at the time Bob
2 submitted the applications, numerous people knew that
3 Williams had loaned them money. His youngest sister knew.
4 His youngest sister's estranged husband knew. Jerri
5 Fulkerson knew. And Bob's bookkeeper and accountant had
6 full and direct access to his accounts, which clearly
7 showed Williams' loans.

8 The idea that Bob would suddenly, in the third
9 year of his governorship, in the full glare of the public
10 spotlight, lie on bank applications because he didn't want
11 a few bankers to know that he had taken loans from Jonnie
12 Williams defies all logic and common sense.

13 The evidence will also show that Bob McDonnell
14 never hid or tried to hide Mr. Williams' support,
15 generosity or friendship. In fact, while Bob McDonnell
16 was Governor -- Ms. Aber discussed this morning these
17 statements of economic interest. While Bob McDonnell was
18 Governor, he publicly reported nearly \$170,000 in
19 donations, gifts, and loans from Mr. Williams and his
20 company. All, all of them perfectly legal under Virginia
21 law. And Bob McDonnell complied with Virginia law in
22 every respect. In fact, there will be no suggestion at
23 this trial that Bob McDonnell ever violated Virginia
24 disclosure laws or reporting requirements, ever.

25 You will see that for every year, from 2009

1 through 2012, Bob McDonnell disclosed publicly for all to
2 see that Mr. Williams had donated to his campaign, had
3 given to his Political Action Committee and had provided
4 him and his family some gifts and loans. And Bob did
5 nothing to hide his friendship with Mr. Williams. They
6 golfed together. They ate together. In fact, on one
7 occasion, their families went on a vacation together. Bob
8 McDonnell never hid anything or tried to hide anything
9 about Mr. Williams, and, ladies and gentlemen, any
10 assertion to the contrary is simply not true.

11 I have thought a lot about today and this moment
12 and how I would like you to think about Bob McDonnell as
13 we begin to hear the evidence in this case. As I think
14 about Bob McDonnell, I am reminded of one of my favorite
15 quotes from a book I read as a young Army officer, now
16 some 26 years ago. The book, Once an Eagle, was written
17 by Anton Myrer. It is a novel about a young soldier in
18 World War I who rose to the rank of general officer in
19 World War II. Toward the end of the book, on learning
20 that his own son had been killed in action, he recalls
21 what he said to his son some years ago. "That's the whole
22 challenge of life, to act with honor and hope and
23 generosity no matter what you've drawn. You can't help
24 when or what you were born and you may not be able to help
25 how you die, but you can and you should try to pass these

1 days between as a good man."

2 Ladies and gentlemen, the evidence will show in
3 this case that Bob McDonnell is a good man who always
4 acted with honor and hope and generosity.

5 Now, as this trial goes on, some of you may be
6 surprised at how aggressively we are defending Bob
7 McDonnell. We are not going to apologize for that. It is
8 a tremendous privilege and honor for each of us to defend
9 Bob McDonnell, to defend his freedom, to defend his
10 family, to defend his reputation, and to defend his future
11 against accusations by the federal government that the
12 evidence simply will not support.

13 We are going to defend Bob McDonnell with every
14 ounce of energy we can muster and with every single
15 witness you will hear. And at the end of this trial, when
16 all the chips are on the table, all the hands have been
17 played, and there is no more evidence to hear, my
18 co-counsel, Hank Asbill, will have the privilege of
19 speaking to you personally in his closing argument. And
20 when that day comes, Hank will not hesitate to ask each of
21 you to return the only just verdict in this case and that
22 is not guilty on all counts. Thank you.

23 Thank you, Your Honor.

24 THE COURT: All right. We are at 1:07, or
25 thereabouts. We are going to stop now for lunch, and I

1 would like for you to come back at ten minutes past 2, a
2 little over an hour from now. And you're going to be on
3 your own today. So remember the admonition: Be careful.
4 Don't let anybody talk to you, and as I said before, if
5 anybody attempts to discuss this case with you, please let
6 me know. If you all would follow the marshal, we'll see
7 you at 2:10.

8 (The jury exited the courtroom.)

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1 (Luncheon recess taken from 1:10 p.m. to 2:10 p.m.)

2 THE COURT: All right, let's bring in the jury,
3 please. All right, let me invoke the rule on witnesses.
4 All of those who expect to be called as a witness in this
5 case, except for the government's representative, and
6 defense expert as appropriate, will have to leave the
7 courtroom to await their call.

8 MR. DRY: Just to confirm, that's only one
9 government representative witness, case agent?

10 (The jury entered the courtroom.)

11 THE COURT: Let's approach on that.

12 (At Bench.)

13 MR. DRY: The defense has not objected to having
14 the case agents in the courtroom, it is my understanding.

15 THE COURT: How many do you have?

16 MR. DRY: Two.

17 THE COURT: That's fine.

18 MR. DRY: Yes, sir, thank you.

19 (In Open Court.)

20 All right, government, call your first witness.

21 MR. HARBACH: Thank you, Your Honor. The
22 government calls Ryan Greer.

23 RYAN GREER,
24 called as a witness by and on behalf of the government,
25 having been first duly sworn by the Clerk, was examined

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1 and testified as follows:

2 DIRECT EXAMINATION

3 BY MR. HARBACH:

4 Q Mr. Greer, please state your name and spell your last
5 name for the court reporter, please.

6 A Ryan Greer, G-R-E-E-R.

7 Q What do you do for a living?

8 A I'm a food and beverage manager.

9 Q Did you used to work for a company called Seasonings
10 Fine Catering?

11 A Yes, sir.

12 Q It is probably obvious, but what kind of company is
13 that?

14 A It is a catering company.

15 Q When was it that you worked there?

16 A 2008 through 2011.

17 Q During your time working for Seasonings Fine
18 Catering, were you personally involved in catering a
19 wedding for the daughter of Mr. and Ms. McDonnell?

20 A Yes, sir.

21 Q When was that wedding, do you recall?

22 A It was June, 2011.

23 Q In connection with doing your planning for that
24 wedding, did you have occasion to meet personally with
25 both Mr. and Ms. McDonnell?

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1 A Yes.

2 Q Tell us about that. Where did it happen?

3 A We had a dinner at the Governor's Mansion.

4 Q Who was present at the dinner besides yourself?

5 A That would have been Mr. and Ms. McDonnell, Cailin,
6 and Chris.

7 Q Chris being the groom-to-be?

8 A Yes.

9 Q What was the purpose of the dinner meeting at the
10 Mansion?

11 A To discuss planning for the wedding, plates, glasses.

12 Q Who was it who negotiated the price of the catering
13 and the contracts terms?

14 A Todd Schneider.

15 Q Who is Todd Schneider?

16 A He was the owner of Seasonings.

17 Q Was he your boss?

18 A He was.

19 Q Was there a draft contract prepared for the
20 McDonnells' event?

21 A There was.

22 Q Who prepared that?

23 A Myself and Todd.

24 Q If we can please show to the witness only Government
25 Exhibit 80. Do you recognize the document that's on your

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1 screen there, sir? Can you see it okay?

2 A Yes.

3 Q What is that that we are looking at there? Just
4 identify the document, please.

5 A That's an e-mail that was sent to Cailin.

6 Q Who sent the e-mail to Cailin McDonnell?

7 A Myself.

8 Q Have you reviewed this document in preparation for
9 your testimony here today, sir?

10 A Yes, I have seen this document.

11 Q Are there attachments to the document?

12 A There are.

13 Q And are the attachments paperwork related to the
14 catering job you were going to do for Cailin McDonnell's
15 wedding?

16 A Yes.

17 MR. HARBACH: The government offers Government
18 Exhibit 80.

19 MR. ASBILL: No objection.

20 THE COURT: It will be admitted. Are you saying
21 8 or 80?

22 MR. HARBACH: 80.

23 THE COURT: All right.

24 BY MR. HARBACH:

25 Q Could we take a look at Page 2 of Government's 80?

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1 What are we looking at here, Mr. Greer?

2 A That would be an invoice that was prepared for the
3 wedding.

4 Q And a couple questions about this. First of all,
5 there is a gray box around the word "Sales Rep," about a
6 third of the way over from the left. Do you see that?

7 A I do.

8 Q It has the initials RPG.

9 A Correct.

10 Q Who is that?

11 A That's me.

12 Q Let's take a look at Page 3, please. What is this?

13 A That would be the menu.

14 Q This was the proposed menu for the wedding that you
15 all were catering?

16 A Correct.

17 Q Who prepared this thing?

18 A Todd Schneider.

19 Q Could we please take a look at Page 3 of Government's
20 Exhibit 80. Is this a continuation of the menu, talking
21 about the details of the pricing?

22 A Yes, sir.

23 Q Okay. Finally, Page 4 of Government's 80.

24 A That would be the contract.

25 Q And I note on the top right-hand corner, the first

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1 page, it says Page 1 of 3. Before we go on to the last
2 two pages of the document, I want to note if we could blow
3 up where it says "Total Cost" down there at the bottom,
4 those four lines or so. Thank you, sir. Total cost is
5 listed at just under \$16,000. Do you see that there, sir?

6 A Yes.

7 Q And then there are two 25 percent installments that
8 are due. Was that standard practice at Seasonings, to
9 require deposits in advance like that?

10 A Correct.

11 Q Then briefly if we could look at Page 5, excuse me,
12 Page 6 of Government's 80, this is good, Page 2 of 3, a
13 continuation of the draft contract that you sent to Cailin
14 McDonnell, sir?

15 A Yes.

16 Q And then finally the last page of Government's 80, a
17 signature page?

18 A Correct.

19 Q Okay. After you -- you can take that exhibit down,
20 please. After you e-mailed the paperwork we just looked
21 at to Cailin McDonnell, did you eventually hear back from
22 Mr. McDonnell?

23 A Yes, sir.

24 Q If we could pull up for identification, please,
25 Government Exhibit 81. Are you able to see the page on

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1 that screen, sir?

2 A Yes, sir.

3 Q Okay. Do you recognize this document?

4 A I do.

5 Q Is this the documentation you received back from
6 Mr. McDonnell?

7 A Yes, sir.

8 MR. HARBACH: The government offers Government's
9 81.

10 MR. ASBILL: No objection.

11 THE COURT: It will be admitted.

12 MR. HARBACH: Your Honor, would you like me to
13 ask to publish to the jury each time or is it okay to
14 publish once it is admitted?

15 THE COURT: Once it is admitted it can be
16 published.

17 MR. HARBACH: Thank you.

18 BY MR. HARBACH:

19 Q Okay, Mr. Greer, the first thing I'd like to identify
20 is the handwriting at the bottom of the page there. Could
21 we blow that up? Whose handwriting is that, Mr. Greer?

22 A That's my handwriting.

23 Q And could we walk through it briefly, where it says
24 "Do LED lights," what was that about?

25 A That would have been for the tables at the wedding.

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1 To put lights on the table.

2 Q Then can you read the next few lines of your notes?

3 A "Electricity very limited, bring power from garage.
4 How many fans and what the pull," and then to "Doug and
5 Rich."

6 Q Do you recall what the issue was surrounding the
7 electricity and the power from the garage?

8 A I felt that it wasn't going to be enough power to
9 power everything.

10 Q It was going to be needed for the reception?

11 A Correct.

12 Q Okay. Zoom back out, please. Now, there's some more
13 handwritten notes on the right-hand side of the page
14 there. And are you able to make out who it appears signed
15 that handwritten note to you?

16 A Yes.

17 Q What does it say?

18 A "Bob McDonnell."

19 Q Now, I'm going to read this into the record and ask
20 you if I've read it correctly, okay? Can you follow along
21 with me?

22 A Sure.

23 Q It says: "Ryan, I have made a few reasonable changes
24 to the contract which I hope you find acceptable. Left a
25 voicemail as well. Likely final head count closer to

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1 200-200-" something, "and will advise in advance. Thanks,
2 Bob McDonnell." There is a phone number. "P.S. Thanks
3 for all your help with Cailin to get this set up."

4 As best you could tell, did I read that
5 correctly, sir?

6 A Yes, sir.

7 Q Now, let's take a look at Page 2 of Government's 81,
8 please. And Page 3. On this one there's some other
9 handwritten notations. Do you recognize that handwriting
10 or know who wrote that, sir? By that, I mean the \$757
11 that's handwritten in there, and the total.

12 A I'm not 100 percent sure of whose handwriting that
13 is.

14 Q Let's look at Page 4, please. And if we could just
15 blow up right there, thank you, this area where some other
16 handwritten notations have been made. To your
17 recollection, sir, when you received this document that we
18 are looking at now, that is Government's 81, back from,
19 eventually back from Mr. McDonnell, to your knowledge, had
20 anyone else marked it up?

21 A Not to my knowledge.

22 Q Did Mr. Schneider tell you that he marked it up by
23 hand?

24 A I don't recall.

25 Q Okay. If you could back out, please. Let's go to

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1 the next page of Government's 81. There is some line
2 editing on this page. Appears to say, "The deposit will
3 be refunded if an act of God or death occurs which
4 prevents the wedding reception from occurring." Did I
5 read that correctly?

6 A Yes, sir.

7 Q What was your understanding of who made that change
8 to the document when you received this thing?

9 A Bob McDonnell.

10 Q Please back out, Mr. Starnes. Then also, thank you,
11 the bottom half, we don't need to go through all of these
12 details, the jury can read them. But would your answer be
13 the same on these other handwritten notations to the
14 contract, namely, that it was your understanding that it
15 was Mr. McDonnell who made them?

16 A Yes, sir.

17 Q And finally, the last page of the draft contract,
18 which is also the last page of Government's 81, one of
19 those signature lines has a name on it. Next to the word
20 "Client," you see the signature there that appears to be
21 Robert McDonnell's signature?

22 A Yes.

23 Q What's the date that he apparently signed it?

24 A December 29th, 2010.

25 Q Thank you. You can take the exhibit down,

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1 Mr. Starnes. Earlier in your testimony, Mr. Greer, we
2 talked about a couple of deposits that were going to be
3 due before the event. Do you recall that testimony?

4 A I do.

5 Q Do you recall whether Seasonings received deposits
6 like that from the McDonnells?

7 A We did.

8 Q Take a look with me at Government's 79, please. Do
9 you recognize that document, sir?

10 A Yes.

11 Q What is it?

12 A That would have been the first deposit check from the
13 Governor.

14 MR. HARBACH: The government offers Government's
15 79.

16 MR. ASBILL: No objection.

17 THE COURT: It will be admitted.

18 BY MR. HARBACH:

19 Q What's the amount of this check, sir?

20 A \$3,974.25.

21 Q And the names at the top left of the check, whose
22 names are on this check, sir?

23 A Robert McDonnell and Maureen McDonnell.

24 Q Did you deposit this check for Seasonings?

25 A Yes, sir.

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1 Q Could we see for identification Government's 82,
2 please. Is this the deposit slip with which you deposited
3 the check we were just looking at, sir?

4 A Yes, sir.

5 MR. HARBACH: The government offers Government's
6 82.

7 THE COURT: It will be admitted.

8 BY MR. HARBACH:

9 Q I don't know if you can turn your head to the side
10 and read when you deposited that check, sir.

11 A December 31st, 2010.

12 Q There we go. Thank you, sir.

13 A You are welcome.

14 Q That's it for that exhibit, Mr. Starnes. Could we
15 please pull up for identification Government's 156. Do
16 you recognize this document, sir?

17 A I do.

18 Q What is it?

19 A That would be an invoice history statement from
20 QuickBooks.

21 Q Is that a Seasonings record?

22 A It is. That's where we enter the payments.

23 MR. HARBACH: The government offers Government's
24 156.

25 MR. ASBILL: No objection.

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1 THE COURT: It will be admitted.

2 BY MR. HARBACH:

3 Q Okay, Mr. Starnes is blowing this up for you,
4 Mr. Greer. First question is, what's the entry next to
5 "Customer"?

6 A "Governor Bob McDonnell."

7 Q And down there, what's the purpose of this record?
8 Sorry, that was a bad question. Let me just ask you,
9 what's the purpose of an invoice history document like we
10 are looking at here?

11 A So we would know how much payment or what's due by
12 the time the wedding comes.

13 Q Okay. And in this case, the first payment there
14 that's marked December 31st of 2010 of \$3,974.25, is that
15 the check we were just talking about a moment ago?

16 A Yes, sir.

17 Q Was there a second deposit in identical amount a
18 couple of months later?

19 A There was.

20 Q Let's take a look for identification, please, at
21 Government's 85. Do you recognize this to be the check
22 for that second deposit, sir?

23 A Yes, sir.

24 MR. HARBACH: The government offers Government's
25 85.

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1 THE COURT: It will be admitted.

2 BY MR. HARBACH:

3 Q What's the date of this check, Mr. Greer?

4 A January 22nd, 2011.

5 Q And what's the name on the upper left corner of the
6 check?

7 A Robert McDonnell.

8 Q And an identical amount to the first deposit check?

9 A Yes, sir.

10 Q Did you deposit this one?

11 A I do believe I did.

12 Q Could we look for identification at Government's 86.

13 Is this the deposit slip for the second check we were just
14 looking at, Mr. Greer?

15 A Yes, sir.

16 MR. HARBACH: The government offers Government's
17 86.

18 THE COURT: It will be admitted.

19 BY MR. HARBACH:

20 Q When did you deposit the second deposit -- excuse me,
21 the second check, sir?

22 A February 3rd, 2011.

23 Q Take that exhibit down, Mr. Starnes. Mr. Greer, do
24 you recall how the balance of the amount due and owing on
25 the contract was paid?

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1 A I do.

2 Q How was it paid, sir?

3 MR. ASBILL: Objection, based on hearsay.

4 THE COURT: Overruled.

5 BY MR. HARBACH:

6 Q Go ahead, sir.

7 A It was paid for by a check made out to Seasonings for
8 \$15,000.

9 Q If we could take a look for identification at
10 Government's 121, please. Is this the check you were just
11 describing, sir?

12 A Yes, sir.

13 MR. HARBACH: The government offers Government's
14 121.

15 THE COURT: It will be admitted.

16 BY MR. HARBACH:

17 Q What's the amount of the check, sir?

18 A \$15,000.

19 Q And what's the name on the top left of this check,
20 the account holder?

21 A Starwood Trust.

22 Q In the pay line where it says "Pay To The Order Of,"
23 it says "Great Seasons Catering." Is that your
24 handwriting, sir?

25 A No, sir.

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1 Q Do you know whose handwriting it is?

2 A No, sir.

3 Q When you received the check, was that filled in with
4 Great Seasons Catering?

5 A It was.

6 Q Do you recall how you received, you personally
7 received this check, sir?

8 A I know I received it at the restaurant, and to be
9 honest, it was either Todd Schneider handed it to me or
10 Mary-Shea. I don't know 100 percent who gave it to me.
11 But I received it at the restaurant.

12 Q You think it was one of those two people?

13 A One of those two.

14 Q But you don't remember which?

15 A I don't.

16 Q When you say "the restaurant," what are you talking
17 about?

18 A Seasonings Fine Catering. We also had a restaurant.

19 Q Here in Richmond?

20 A Yes, in Midlothian.

21 Q Okay. Back to the check that's displayed on
22 Government's 121. Did you deposit this one?

23 A I did.

24 Q Did you receive any different instructions about your
25 deposit of this check?

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1 A Yes. I was asked to cash the check.

2 MR. HAUSS: Objection, hearsay.

3 THE COURT: Overruled.

4 THE WITNESS: I was asked to cash the check.

5 BY MR. HARBACH:

6 Q By whom?

7 A Todd Schneider.

8 Q Did you take it to the bank?

9 A I did.

10 Q What happened?

11 A They wouldn't cash it because it is a business
12 account so they made me deposit it.

13 Q If we take a look for identification at Government
14 Exhibit 133, please. Is this the deposit slip for the
15 check we have just been talking about?

16 A Yes, sir.

17 MR. HARBACH: The government offers Government's
18 133.

19 THE COURT: It will be admitted.

20 BY MR. HARBACH:

21 Q Now, this deposit slip looks different from the
22 others. What happened here, Mr. Greer?

23 A I went to the bank and had intentions on cashing the
24 check, so I didn't have a deposit slip with me. So the
25 teller, when she refused to cash the check, she filled out

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1 a deposit slip for me.

2 Q If you could look in the bottom right hand of the top
3 portion of Government's 133, there is a date there that's
4 on the far right that's kind of typed in there. Can you
5 see that date, sir?

6 A May 26th.

7 Q Of what year?

8 A 2011.

9 Q You can take that exhibit down, sir. One other
10 question about when you received this check, Mr. Greer.
11 Around the time that you received the check, did you
12 receive any other instructions about what -- about how to
13 handle it?

14 MR. HAUSS: Objection, calls for hearsay, Your
15 Honor.

16 THE COURT: He can answer the question.

17 THE WITNESS: I was instructed not to tell
18 anybody about the check.

19 BY MR. HARBACH:

20 Q By whom?

21 A By Todd Schneider.

22 Q Okay. After the \$15,000 check that we have been
23 talking about was deposited, was there a difference
24 between the amount that was due and owing on the contract
25 and the amount of the \$15,000 check when you received it?

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1 A Yes.

2 Q Which is to say there was a refund due?

3 A Yes, sir.

4 Q Did you receive any instructions about how to handle
5 the refund?

6 A I was instructed by Mr. Schneider to issue a refund
7 check in the difference to Maureen McDonnell.

8 Q Okay. What did you do to take care of that?

9 A I advised Sarah, who issued the checks, to issue the
10 check for the difference.

11 Q Okay. Let's take a look at Government's 159, please.
12 Is this the refund check you just mentioned?

13 A Yes, sir.

14 MR. HARBACH: The government offers Government's
15 159.

16 MR. HAUSS: No objection, Your Honor.

17 THE COURT: It will be admitted.

18 BY MR. HARBACH:

19 Q Now, Mr. Greer, were you personally involved in
20 setting the exact amount of this check, sir?

21 A I was instructed by Mr. Schneider on what the refund
22 would be.

23 Q Okay. And so as far as you are aware, it was
24 Mr. Schneider who selected the amount?

25 A Yes.

RYAN GREER - CROSS - ASBILL

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1 Q What is the amount of this check, sir?

2 A \$5,266.50.

3 Q Okay. Do you recall having any discussions
4 personally with Maureen McDonnell around the time that the
5 refund check was issued?

6 A I recall one conversation in regards to a generator
7 that I had to order.

8 Q Tell us what you recall about that.

9 MR. HAUSS: Your Honor, that's irrelevant.

10 THE COURT: Overruled.

11 THE WITNESS: That there was an issue because
12 the generator was ordered for the power, and she refused
13 to pay. She didn't want to pay for it. So she did call
14 me, but I discussed it with Mr. Schneider and we decided
15 to adjust the way the gratuities were paid out for the
16 wedding to cover the cost of the generator.

17 MR. HARBACH: May I have one moment, please,
18 Judge?

19 THE COURT: Sure.

20 MR. HARBACH: Thank you, Your Honor. No further
21 questions at this time.

22 THE COURT: Cross?

23 CROSS-EXAMINATION

24 BY MR. ASBILL:

25 Q Good afternoon, Mr. Greer.

RYAN GREER - CROSS - ASBILL

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1 A How are you?

2 Q I see you getting a glass of water. I'll do the
3 same. Where is Chef Todd these days?

4 A Last I heard was Florida, but the last I spoke with
5 Mr. Schneider was probably back in 2011.

6 Q Do you have any reason to believe he is not alive and
7 well?

8 A Couldn't tell you.

9 Q Any reason or any understanding of why he may not be
10 here today instead of you?

11 A Good question.

12 Q Now, let me go back to these, just in reverse order,
13 the things the government was asking you about. With
14 respect to this refund of what, approximately \$5,200?

15 A Yes, sir.

16 Q And that refund check, what did you do with that?
17 Did you deliver that?

18 A I did not deliver that.

19 Q What did you do with it? How did you get it to
20 somebody?

21 A I gave it to Todd.

22 Q You gave it to Todd. You have no personal knowledge
23 of what happened to it after that, do you?

24 A I do not.

25 Q Who was the check made out to?

RYAN GREER - CROSS - ASBILL

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1 A Maureen McDonnell.

2 Q And I believe you said that this contract or the
3 person who signed as client was Bob McDonnell; is that
4 right?

5 A There was a signature. I do believe it said Robert
6 McDonnell.

7 Q This was for Cailin McDonnell's wedding, right?

8 A Yes, sir.

9 Q Initially you sent Cailin McDonnell the contract
10 itself and you deemed her to be your client, correct?

11 A That's correct.

12 Q All right. So you thought Cailin and Chris Young,
13 her fiance', were your clients for the wedding, right?

14 A Yes.

15 Q At some point Bob McDonnell signs the contract and
16 sends in some deposits, right?

17 A Yes.

18 Q And you send a check back to Maureen McDonnell.

19 A That's correct.

20 Q Who was never a client, right?

21 A Right.

22 Q And it was never her wedding, correct? Right?

23 A Correct.

24 Q You said that Todd tells you, "Don't tell anyone
25 about this check." Correct?

RYAN GREER - CROSS - ASBILL

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1 A Yes, sir.

2 Q Did my client ever tell you not to tell anyone about
3 anything?

4 A Sorry, your client is?

5 Q My client is Bob McDonnell. Did he ever tell you not
6 to tell anyone about anything?

7 A No, sir.

8 Q Now, with respect to the check for \$15,000 made out
9 to Seasons that you have testified about, you say you took
10 that to the bank and tried to cash it, correct?

11 A Yes.

12 Q And you wanted to get cash money, dollar bills or
13 hundred-dollar bills in hand for that check; is that
14 right?

15 A That's what I was instructed to do by Mr. Schneider,
16 yes.

17 Q And Mr. Schneider wanted you to do that why?

18 A Couldn't tell you.

19 Q Well, can you tell me whether or not at this time
20 Mr. Schneider was bouncing checks to employees at your
21 company or to vendors?

22 A Yes.

23 Q Did it ever occur to you that maybe he wanted the
24 cash so nobody could cash a check against the 15,000?

25 MR. HARBACH: Objection, argumentative.

RYAN GREER - CROSS - ASBILL

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1 THE COURT: Sustained.

2 BY MR. ASBILL:

3 Q You tried to cash the check. I take it there was not
4 enough money in the Seasonings account to cover that check
5 if it bounced; is that right?

6 A No, sir. I wasn't on the account. It was a business
7 account, so they wouldn't cash it for me.

8 Q They couldn't cash it for you because it was a
9 business --

10 A It is a business account and a business check, it was
11 deposit only. That was explained to Mr. Schneider prior
12 to me going to the bank.

13 Q Then why did you go to the bank and try to cash it
14 then?

15 A Because I was doing what I was told. He was my boss.

16 Q Okay. And you say a business account. The account
17 in fact was a trust, Starwood Trust.

18 A No, speaking of the Seasonings account.

19 Q The Seasonings account. I'm talking about the check
20 itself.

21 A The check, I didn't know about the -- the check was
22 the check. It wouldn't have mattered if it was a personal
23 check or anything, I still wouldn't have been able to cash
24 it.

25 Q Because they were going to wait five days?

RYAN GREER - CROSS - ASBILL

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1 A Because I wasn't on the account.

2 Q So you couldn't cash the check.

3 A I explained that, but he wanted me to try anyways.

4 Q Any reason why he didn't go try himself?

5 A I couldn't answer that.

6 Q All right. And this check, I know it was shown on
7 the screen, it had the full information about the trust
8 that wrote the account; isn't that right? It has been
9 blocked out on what Mr. Harbach showed you.

10 A There was an address on it.

11 Q There was a name of a trust and an address and a
12 phone number for the trust on the account, wasn't there?

13 A I don't recall.

14 Q Take a look at the check again. Do you want to see a
15 copy of it?

16 A Yeah, sure.

17 MR. ASBILL: May I approach the witness, Your
18 Honor?

19 (Document proffered to witness.)

20 BY MR. ASBILL:

21 Q Does that refresh your recollection?

22 A There is a phone number on there.

23 Q There is a name of a trust, Starwood Trust, right?

24 A Uh-huh.

25 Q There is an address in Bradenton, Florida, correct?

RYAN GREER - CROSS - ASBILL

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1 A Correct.

2 Q There is a phone number, correct?

3 A Yes.

4 Q Okay. And the account information, the numbers that
5 were blocked out for privacy reasons, those are all
6 visible, in terms of what Mr. Harbach showed you, those
7 are all visible on the check itself, correct?

8 A They are.

9 Q Okay. Now, this check, you say you received it from
10 either Todd or Mary-Shea; is that correct?

11 A Correct.

12 Q So was that at the restaurant?

13 A That was at the restaurant.

14 Q Right. And you can't tell which one?

15 A I don't recall.

16 Q Do you ever recall talking to the government in this
17 case and telling them you didn't recall, aside from
18 whether it was Mary-Shea or whether it was Todd, you
19 didn't recall whether you got it at the restaurant or
20 picked it up at the Mansion?

21 A I don't understand.

22 Q Do you ever recall telling the government that you
23 got the check from the Mansion, not from an individual at
24 the Mansion, but it wasn't at the restaurant, it was at
25 the Mansion; do you recall that?

RYAN GREER - CROSS - ASBILL

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1 A I do not.

2 Q Are you sure about it coming to the restaurant and
3 being given to you there as opposed to it being left at
4 the Mansion for you?

5 A It was delivered to me at the restaurant.

6 Q All right. And you never told the government
7 otherwise; is that correct?

8 A Correct.

9 Q All right. Now, the deposits, the initial deposits,
10 one of those was at the end of December of 2010, correct?

11 A Yes.

12 Q And that was on time in accordance with the contract,
13 wasn't it?

14 A Yes, sir.

15 Q And the second one was not several months later, as
16 Mr. Harbach suggested. It was in fact at the end
17 of -- excuse me, the 22nd of January, less than a month
18 later in the beginning of 2011, correct?

19 A I think it was in February. But I don't remember the
20 exact date.

21 Q Do you need to take take a look at the deposit slips
22 again?

23 A Sure.

24 (Document proffered to witness.)

25 Q Here is a check and deposit slip.

RYAN GREER - CROSS - ASBILL

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1 A February 3rd.

2 Q February 3rd you deposited it?

3 A Yes.

4 Q And the check was written when?

5 A The check was dated January 22nd.

6 Q So again, less than a month later from the time you
7 got the first check, and in accordance with the terms of
8 the contract and on time, correct?

9 A Yes.

10 Q Now, the balance due, so the totals of the deposits
11 that are made at the end of December in 2010 and the end
12 of January in 2011, rough total, \$8,000 towards a
13 15-and-change or \$16,000 contract, correct?

14 A Correct.

15 Q So there's \$8,000 remaining to be paid going forward
16 to the wedding, correct?

17 A Correct.

18 Q And per the contract, that \$8,000 was due within ten
19 days of the date of the wedding, which was June 4th, 2011.
20 Am I right?

21 A That's correct.

22 Q And in between the end of January and June of 2011 in
23 comes this \$15,000 check, correct?

24 A Correct.

25 Q Okay. Now, with respect to the contract itself, I

RYAN GREER - CROSS - ASBILL

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1 believe when Mr. Harbach was talking to you, he started
2 with a dinner that you had at the Mansion with my client
3 and his wife and Chris Young and Cailin McDonnell. That
4 was in December or November of 2010?

5 A I don't remember the exact date. I know the dinner
6 occurred.

7 Q I know. It was at the end of the year of 2010; is
8 that correct?

9 A I'm not 100 percent sure. It was in 2010.

10 Q Okay. And at that time, and shortly thereafter that,
11 there was a contract, a proposed contract that you sent to
12 Cailin McDonnell, correct?

13 A Correct.

14 Q And that, again, was for 15,000 and change or \$16,000
15 total, for the entire catering bill, correct?

16 A Uh-huh.

17 Q Earlier, go back to October, go back to the early
18 fall in 2010, you had a meeting at your restaurant with
19 Chris and Cailin about their wedding plans, correct?

20 A I don't recall.

21 Q You don't recall the date or you don't recall meeting
22 with Chris and Cailin about the wedding in the fall, early
23 fall, well before December when you had the dinner at the
24 Mansion?

25 A I don't recall.

RYAN GREER - CROSS - ASBILL

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1 Q You don't recall having any meeting with them?

2 A I mean, the meeting may have occurred, but I don't
3 recall. It was 2010. Sorry.

4 Q Okay. Well, do you recall that there was an initial
5 contract proposal for more money than \$16,000? For
6 something over 20,000 or \$23,000?

7 A There was a few that Todd Schneider dealt with that
8 had different prices on them.

9 Q Higher prices, correct?

10 A Correct.

11 Q And Cailin and Chris, to your understanding, pushed
12 back against that price because they wanted something that
13 they could afford, which was in the \$15,000 range.
14 Correct?

15 A And that's why I received the price, the lower
16 contracted price.

17 Q Okay. And so did you have any knowledge of how the
18 original, earlier \$23,000 contract proposal came into
19 being in terms of the gap between the two contract prices?

20 A That was all dealt with by Mr. Schneider.

21 Q Do you have any knowledge that Chris and Cailin were
22 trying to set up a catering event for their wedding with a
23 budget that they could afford, and Todd and Mary-Shea
24 were, "Oh, no, no, that's not good enough for the
25 Governor's daughter, you've got to have fancier stuff at

RYAN GREER - CROSS - ASBILL

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1 the wedding"?

2 MR. HARBACH: Objection.

3 THE COURT: Sustained.

4 BY MR. ASBILL:

5 Q The handwriting on the final contract by my client,
6 aside from the signature and aside from the date, those
7 all related to legal terms, not price terms, am I right?

8 A That's correct.

9 MR. ASBILL: And I know that it was taken down
10 pretty quickly, but maybe we can pull the government's
11 exhibit up again.

12 MR. HARBACH: I would be happy to. Which
13 exhibit would you like?

14 MR. ASBILL: The one with the handwriting on
15 Page 2, the contract, the final contract.

16 (Document displayed.)

17 MR. ASBILL: Next page, please. There we go.
18 Can you blow up the handwriting, please?

19 BY MR. ASBILL:

20 Q You see the handwriting on the terms and conditions
21 page?

22 A Yes, sir.

23 Q All right. And the interlineation by my client goes,
24 "The deposit will be refunded if an act of God or death
25 occurs which prevents the wedding reception from

RYAN GREER - CROSS - HAUSS

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1 occurring." And then his initials, R.M., at the bottom,
2 right?

3 A Yes.

4 Q Okay. And the next one, three paragraphs down,
5 reads: "Seasonings is not liable for any damage to goods,
6 personal property or injury to guests at the event or
7 elsewhere resulting from theft or any other cause, unless
8 caused by its own negligence or intentional acts." Then
9 that's initialed by my client?

10 A Yes, sir.

11 Q Is that right?

12 A Yes, sir.

13 Q At the very bottom of that page there is another
14 edit, "Seasonings agrees to pay 33-and-a-third percent of
15 the total claims of client if Seasonings fails to perform
16 as noted in the contract." Correct?

17 A Correct.

18 Q All right. And my client basically asked, "I hope
19 you will find these changes, these legal changes to the
20 contract, acceptable." Right?

21 A I do believe that's what was on Page 1.

22 Q Okay.

23 A Of the e-mail.

24 Q So at the end of the day, why no refund was made to
25 Cailin or no refund was made to her father is something

RYAN GREER - CROSS - HAUSS

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1 you don't have any idea about; is that correct?

2 A No.

3 MR. ASBILL: Thank you. I have no further
4 questions.

5 THE COURT: Anything else for this witness?

6 MR. HAUSS: Very briefly, Your Honor.

7 CROSS-EXAMINATION

8 BY MR. HAUSS:

9 Q Good afternoon, Mr. Greer. How are you?

10 A Good.

11 Q I'm going to be very, very brief. You mentioned,
12 with regard to the \$15,000 check, you got that from either
13 Todd Schneider or Mary-Shea; is that correct?

14 A Correct.

15 Q And when you say Mary-Shea, is that Mary-Shea
16 Sutherland?

17 A Yes.

18 Q And Mary-Shea Sutherland was the First Lady's Chief
19 of Staff; is that correct?

20 A Yes, sir.

21 Q And then you also mentioned a refund check that was
22 made out to Maureen McDonnell?

23 A Yes.

24 Q And Maureen McDonnell did not instruct you to make
25 that out to her, did she?

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1 A No.

2 MR. HAUSS: Thank you. Nothing further.

3 THE COURT: Any redirect?

4 MR. HARBACH: No. May Mr. Greer be excused?

5 THE COURT: Absolutely.

6 (Witness stood aside.)

7 MS. ABER: The United States calls Cailin
8 McDonnell Young.

9 CAILIN McDONNELL YOUNG,
10 called as a witness by and on behalf of the government,
11 having been first duly sworn by the Clerk, was examined
12 and testified as follows:

13 DIRECT EXAMINATION

14 BY MS. ABER:

15 Q Good afternoon, Ms. Young.

16 A Good afternoon.

17 Q Please state your name and spell it for the court
18 reporter.

19 A Cailin McDonnell Young, C-A-I-L-I-N,
20 M-C-D-O-N-N-E-L-L, Y-O-U-N-G.

21 Q Is it correct that you are the daughter of the
22 defendants here today?

23 A Yes, I am.

24 Q And you have how many brothers and sisters?

25 A There's is five of us altogether. I have an older

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1 sister, myself, my younger sister, and then the twin baby
2 boys.

3 Q Now, I'd like to turn your attention back to your
4 wedding in 2011. On what date did you get married?

5 A June 4th, 2011.

6 Q And to whom did you get married?

7 A Christopher Young.

8 Q Approximately when did you get engaged?

9 A It was December of 2009.

10 Q And so going forward in time from that engagement, I
11 assume you began planning your wedding?

12 A We did.

13 Q And did you and your fiance', Mr. Young, have any
14 discussions about who would be paying for that wedding?

15 A We did. My husband and I really were excited and we
16 wanted to pay for the wedding ourselves.

17 Q And why did you want to pay for yourself?

18 A It was something we felt very strongly about. We
19 thought it spoke a lot about us as a couple, and my
20 parents had done the same thing and we really admired
21 that.

22 Q Were you planning to pay for the entire wedding or
23 bits and pieces of it?

24 A The entire wedding.

25 Q Did you have discussions with your parents about your

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1 intention to pay for the wedding?

2 A We did. Shortly after we got engaged, we had to
3 schedule a meeting to have dinner with my parents, and we
4 went and spoke with them and told them that this was our
5 desire and that we wanted to pay for it ourselves.

6 Q What was your parents' reaction to that?

7 A You know, they respected it. They thought it was,
8 you know, admirable that we wanted to do something like
9 that. But I knew my dad wasn't that thrilled about it.

10 Q What did your father say that led you to believe that
11 he was not thrilled with it?

12 A I don't know if it was at that time exactly, but you
13 know, he would make comments, "Okay, Cailin," you know,
14 that kind of thing.

15 Q That suggested to you that your father did not want
16 you to pay for your wedding; is that right?

17 A Well, I know being his first daughter, I mean, I
18 can't tell you exactly what he was thinking, but being his
19 first daughter, of course, you know, I would think that he
20 would want to pay for it.

21 Q Where was your wedding going to be held?

22 A We got married, the ceremony was at St. Patrick's
23 Church, and then we had the reception at the Executive
24 Mansion.

25 Q And did you have to find a caterer to prepare food

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1 for the reception?

2 A We did.

3 Q Who did you use?

4 A We used -- well, we first spoke to Todd Schneider and
5 we used his, who was the Mansion chef at that time, and we
6 used his catering company, Great Seasonings.

7 Q I'd like to bring up Government Exhibit 76, please.

8 Government Exhibit 76, is that an e-mail from you to
9 Mr. Schneider and your fiance' on November 9th, 2010?

10 A Yes, it is.

11 MS. ABER: I'd like to move that into evidence.
12 My copy is yellow.

13 THE COURT: It will be admitted.

14 MS. ABER: For the record, it is yellow for
15 everyone, Your Honor.

16 BY MS. ABER:

17 Q Tell the jury, please, what exactly this e-mail says.
18 Can you read it to them, please?

19 A It says -- it says: "Todd: Christopher and I are
20 meeting with mom and dad on Thursday to go over a few more
21 things. After that we will be able to get the deposit to
22 you. Thank you for being patient with us."

23 Q And what is the subject of your e-mail?

24 A "Wedding."

25 Q Now, what were the few more things that you needed to

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1 go over with your mom and dad?

2 A If I remember correctly, at this time we had already
3 received the contract and things like that. So I wanted
4 to go over with my parents the terminology in the
5 contract. My dad being a lawyer, it had a lot of legal
6 mumbo-jumbo in it that I didn't understand. I'd never
7 planned a big event like this, so I wanted to go over
8 everything in that and make sure I knew what I was
9 signing. As well as in the invoice, everything was
10 affected by the guest list and how many people we were
11 having at the wedding. And the guest list was constantly
12 changing and we were going back and forth with my parents,
13 and so it was months and months of trying to figure out
14 how many people were going to be invited.

15 Q So at this point in time when your e-mail says, "we
16 will be able to get the deposit to you," who is the "we"
17 in that sentence?

18 A My husband and myself.

19 Q Okay. I'd like to bring up what's already been
20 admitted as 80, please. Now, Ms. Young, let's start at
21 the bottom here, please. Is it fair to say this is an
22 e-mail from Mr. Greer to you with attachments?

23 A Yes.

24 Q Okay. Scrolling upward, please, is it fair to say
25 that Mr. Greer forwarded this back to you a couple days

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1 later?

2 A He did.

3 Q And then you in turn sent this to whom?

4 A I sent it to my father.

5 Q Okay. If we could back up, Ms. Taylor, please.

6 Let's look at Government Exhibit 77, please. That has not
7 been admitted. If we could zoom in, please, on the top.

8 Now, Ms. Young, is it fair to say this is an e-mail from
9 you to your parents on December 3rd, 2010?

10 A Yes, with my husband cc'd.

11 Q Great. Thank you.

12 MS. ABER: I'd like to move 77 into evidence,
13 please.

14 THE COURT: It will be admitted.

15 BY MS. ABER:

16 Q What is it that you are attaching to this e-mail for
17 your parents?

18 A It is the invoice for the reception.

19 Q As well as the contract?

20 A I can't tell from this, but the title just says
21 "Invoice."

22 Q So that makes sense. Ms. Taylor, could we flip
23 through this document briefly to show the attachments to
24 Ms. Young. It is hard when it is all electronic. Is it
25 correct now that the contract was appended to this e-mail?

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1 A Yes, ma'am.

2 Q Okay. Why are you sending your father the catering
3 contract at this point in time?

4 A Like I stated earlier, I wanted him to look at it,
5 all the terms on there, make sure everything was correct
6 so I knew what I was signing. And also, I had never had
7 an event at the Mansion. They have held events there, and
8 I wanted to make sure that we were following protocol for
9 everything that was done at the Mansion.

10 Q Okay. Let's look at Government Exhibit 81, please.
11 That's already been admitted. And specifically, Page 4.
12 Is this the completed contract for your wedding catering,
13 Ms. Young?

14 A Yes.

15 Q And turning to Page 5, if we could go down to the
16 bottom there, excuse me, Page 4, head on back. Thank you.
17 One more page back. Thank you. Let's go to the bottom
18 there where it indicates the total cost. Now, at the time
19 the contract was being executed, were you aware of the
20 cost of your wedding catering?

21 A I was.

22 Q Okay. Were you aware of the installments that were
23 going to be due?

24 A I was.

25 Q Now, flipping forward, please, two pages. Towards

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1 the end, Ms. Taylor. Page 6, please. When did you find
2 out that your father signed this wedding catering
3 contract?

4 A It was after he had made the second payment. I don't
5 know the day, though.

6 Q Okay. What was your reaction to that?

7 A I was furious.

8 Q Did you tell him?

9 A I did. My mother told me that he had done this. I
10 immediately called my father and yelled at him.

11 Q Let's turn to Government Exhibit 79, please. This
12 has already been admitted. This is a check, Ms. Young,
13 dated December 29th from your father to Seasonings Fine
14 Catering. Is it fair to say that's the first payment?

15 A Yes.

16 Q Let's look at 85, please. So this is the second
17 payment dated January 22nd of 2011?

18 A Yes, ma'am.

19 Q Okay. As you sit here today, you are saying you
20 learned sometime after January 22nd that this payment had
21 been made.

22 A Yes, ma'am.

23 Q Do you remember how far after January 22nd?

24 A I don't.

25 Q Do you remember how far back in time from your

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1 wedding in June this was?

2 A I cannot accurately give you a time. I'm not sure.

3 Q Let's look at Government Exhibit 111, please. Is it
4 fair to say this is an e-mail from your father to you and
5 then you in response on May 1st and May 2nd of 2011?

6 A Yes.

7 Q Okay.

8 MS. ABER: I would move 111 into evidence.

9 THE COURT: It will be admitted.

10 BY MS. ABER:

11 Q Can you please read for the jury your father's e-mail
12 to you on May 1st?

13 A "Please advise me on May 20th or so the final count
14 and final payment amount for the wedding so I can make
15 payment on time ten days out. Thanks, Dad."

16 Q On the top, what is your response?

17 A "I will, everyone has asked RSVP by the 20th."

18 Q Is it fair to say your father seems to be suggesting
19 he would be making the final payment for the wedding in
20 this e-mail or is that not how you understood it?

21 A He is saying that he wanted to, yes. But that was
22 not our desire, and I was not going to send him the bill
23 to pay that.

24 Q After your father sent this e-mail on May 1st, did
25 you communicate to him, say, "Hey, dad, you got this all

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1 wrong, I'm paying?"

2 A I had done that numerous times ever since that first
3 time that we sat down with him shortly after we got
4 engaged, and time and time and time again we had told
5 them. He was aware that that's how we felt.

6 Q As of this date, do you think you knew your father
7 had signed the catering contract?

8 A I can't say 100 percent whether I did or not. I
9 might have, but I don't know. Because I don't know when I
10 found out.

11 Q But as of this date, May 1st, how much money did you
12 owe on the catering contract? I don't mean an exact
13 number; math is not my thing. Would it have been the
14 total balance minus the two payments your father had made?

15 A That depends if I knew he had made them or not. So I
16 can't answer that question.

17 Q Okay. Let's talk about instead, enough with the
18 wedding for a moment, Jonnie Williams.

19 A Okay.

20 Q When did you first meet Mr. Williams?

21 A The first time I remember meeting Mr. Williams was, I
22 think it was April 29th.

23 Q Of what year?

24 A 2011.

25 Q And how far before your wedding was that?

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1 A I think it was about five weeks.

2 Q What were the circumstances of your meeting?

3 A That day, my mother and I had actually gone
4 skydiving. One of her initiatives was military families
5 and appreciating the military and all of that. So the
6 Golden Knights had asked her to go skydiving. And they so
7 graciously included me in that. So we got to do that that
8 morning. And then I went back to work. If I remember
9 correctly, it was a Friday. I went back to work, and then
10 when we had jumped, they had gentlemen that jumped with us
11 to videotape and take pictures. So they told us that they
12 were going to have that video ready for us. I was over
13 the moon about it. I was really excited. I wanted to go
14 get that video, and I had heard that it had been dropped
15 off at the Mansion. So after work I went, or I'm not sure
16 what time, but sometime that evening I went to the Mansion
17 to retrieve that video and I wanted to stop in and say hi
18 to my parents. And as I was calling around upstairs I
19 walked in and my parents were having dinner with Mr. and
20 Ms. Williams.

21 Q So what room of the Mansion were they in?

22 A It was the far back right room. It is called like
23 the library-office. But we had kind of turned it into our
24 own little family dining room when we got the dining room
25 set after my grandparents passed away.

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1 Q How long did you speak with Mr. Williams?

2 A It was about ten, fifteen minutes.

3 Q What did you talk about?

4 A Well, first we were talking all about skydiving, and
5 my mother and I were reenacting and explaining everything
6 that happened. And she had actually had a faulty
7 parachute before she jumped out, so we were talking about
8 that. And they were asking all about it. And then we
9 started talking about my wedding. And I don't remember
10 specifics of everything that was said, but I remember
11 there was a window in the back room that looks out into
12 the garden, the back yard, and that's where we were going
13 to have the reception. And it has a staircase that my
14 husband Christopher and I were going to be first
15 introduced as man and wife as we come in. So I was
16 explaining that to them.

17 Q Did you stick around for dinner?

18 A I did not. I kind of walked in as they were eating.

19 Q Okay. Did you say that was the first time you met
20 Mr. Williams?

21 A The first time I remember meeting him, yes, ma'am.

22 Q So then you leave. After that evening, did you
23 receive a call from your mother stating that Mr. Williams
24 wanted to pay for your wedding reception?

25 A I did.

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1 Q Can you tell the jury what your mother said?

2 A My mother called me and told me that Mr. Williams was
3 so impressed by me and really enjoyed meeting me, and as a
4 wedding gift he wanted to pay for our reception.

5 Q What was your reaction to that?

6 A I was shocked. I mean, it was a hugely generous
7 gift.

8 Q How far after that dinner do you think your mom
9 called you to tell you this?

10 A I can't say accurately, but it would have been
11 possibly a couple days, maybe a week. But I don't know
12 the day that I got the phone call.

13 Q Okay. I'd like to bring up Government Exhibit 121
14 that's been admitted. Had you seen this check before,
15 Ms. Young?

16 A Not until the first time I met with you.

17 Q All right. Do you know how this check got to the
18 caterer?

19 A It was delivered to the Mansion.

20 Q Who told you that?

21 A It was my mother.

22 Q Did you talk to your father at all about this \$15,000
23 check?

24 A I'm sure we did at some point in time, but I don't
25 remember a conversation about it.

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1 Q Okay. But somebody had to pay for the balance of the
2 wedding contract, right?

3 A It was going to be Christopher and I, yes, ma'am.

4 Q Is it fair to say that the final payment was due ten
5 days before your wedding?

6 A Yes.

7 Q So as of May 1st, 2011, somebody had to pay for this.

8 A Correct.

9 Q Okay. Did other folks, "folks" isn't the right word,
10 did other guests or friends or family give you wedding
11 gifts?

12 A They did.

13 Q Did any of them give you money?

14 A They did.

15 Q Family members, I assume?

16 A Yes.

17 Q Friends?

18 A Yes.

19 Q Did anyone else give you a gift close to \$15,000?

20 A No, ma'am.

21 Q What was the next largest gift you received from
22 anybody else?

23 A I can't say accurately. I'm not sure what everything
24 cost. But my husband's family gave us an amount towards,
25 to use for the rehearsal dinner.

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1 Q How much was that?

2 A I think it was \$4,200.

3 Q Those were family members of Mr. Young's?

4 A Yes.

5 Q Now, during the time period in which you are planning
6 the wedding, I assume you put together a guest list.

7 A We did, and it was changing up until probably a day
8 or two before the wedding.

9 Q Did you consult with your parents when putting this
10 list together?

11 A We did, tried to. It was a very painful process
12 working with them on my guest list.

13 Q Was Mr. Williams on that guest list before he gave
14 you or your family, whomever, \$15,000 for the catering?

15 A He gave it to me as a wedding gift to me and my
16 husband, and no, he was not on there before that.

17 Q Why did you add him to the list?

18 A Obviously because of the generous gift he gave us.
19 We added multiple people that were helping us in our
20 wedding and contributing.

21 Q Do you recall seeing Mr. Williams at your reception?

22 A I do not. Unfortunately, we didn't get to see a lot
23 of people at the wedding. So I'm not sure if he was there
24 or not. He did respond, yes, that he was coming.

25 Q Is it fair to say that the caterer had been paid a

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1 sufficient amount of money between your father's deposits
2 and the \$15,000 check that there was an overage?

3 A Yes. That was not my understanding of what happened,
4 but that's ended up what happened, yes, ma'am.

5 Q So the catering company, what did they do with that
6 overage, to your knowledge?

7 A What I found out later is they gave a reimbursement
8 check to my mother.

9 Q And when did you find out about that?

10 A It was February of 2012 -- 2013. I don't know the
11 year. 2013.

12 Q As you sit here today, which year are you going with?
13 I don't mean that sarcastically. I'm sorry. As you sit
14 here today, which year do you think it was that your
15 mother told you about this?

16 A It was February of 2013.

17 Q Okay. And how did your mother bring this up? What
18 was the conversation?

19 A She called me and asked me if she could come over and
20 chat with me and have dinner. So she did. And she told
21 me that she had had a conversation with the FBI and they
22 had asked about Jonnie, and the wedding, and my dad found
23 out about this reimbursement check, a check that I didn't
24 even know about. I didn't know it existed, either. And
25 he was very upset with her, very upset that she had taken

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1 this money and said, "This is Cailin's gift. Go take it
2 to her. This is hers." So she came and gave me that
3 check.

4 Q So for the sake of the record, let's look at
5 Government Exhibit 159, please. This is the check from
6 Seasonings to your mother in May of -- June of 2011. Have
7 you seen this before?

8 A I had not.

9 Q Okay. So let's look at Government Exhibit 493 that
10 has not been moved into evidence. If we could zoom in on
11 the check. Is that the check that your mother wrote back
12 to you in February of 2013?

13 A Yes, ma'am.

14 Q Okay. Did you ever reimburse your father --

15 MS. ABER: Your Honor, let me move Government
16 Exhibit 493 into evidence.

17 THE COURT: It will be admitted.

18 BY MS. ABER:

19 Q What is the memo line on this, Ms. Young?

20 A "Wedding Reception Reimbursement."

21 Q Thanks. Did you ever reimburse your father for his
22 two deposits on the front end?

23 A I did not. Because my understanding of what happened
24 was, Mr. Williams wanted to pay for the reception. And
25 when my mother asked me how much that cost and who to make

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1 it out to, I told her it was around \$15,000, and so my
2 understanding was that he was paying for the entirety of
3 the reception since that's what I was told he wanted to
4 do. So I thought my father would get his money back since
5 Mr. Williams wanted to pay for the entire reception. So I
6 thought my dad was made whole with his money. So I didn't
7 know that there was any outstanding money left over at the
8 end.

9 Q So why did you accept that reimbursement check from
10 your mother?

11 A There was no point fighting at that point with them
12 about it. They were very adamant, "This was your money,
13 this was left over." You know, after my dad's math that
14 he did, this is what was left over of Mr. Williams's gift,
15 which was the gift to my husband and I, so they gave us
16 that check.

17 Q In terms of other wedding expenses, did you and your
18 fiance', now husband, pay for other wedding expenses?

19 A We did.

20 Q What about the location? You had the reception at
21 the Mansion. Did you have to pay a fee for that venue?

22 A No, we did not.

23 Q How many guests did you have at the wedding? At the
24 reception. Let's talk about that.

25 A I think it was somewhere between 200 and 250. I

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1 can't remember exactly at this point. I'm sorry.

2 Q Did you serve alcohol at the reception?

3 A We did.

4 Q And did you pay for that?

5 A We paid for most of it, yes, ma'am.

6 Q What did you pay for, exactly?

7 A We paid for the beer, liquor, and wine, and then we
8 had some wine that was also donated.

9 Q Do you remember how much wine was donated?

10 A I can't remember exactly. I know Ms. Kluge wanted to
11 donate some, and as I have thought more on it, I think
12 what ended up happening is she was just able to donate a
13 bottle of champagne and Mr. Morris, who was her security,
14 he donated three boxes of red wine. Then we ended up
15 buying the rest from different vineyards. And then we had
16 a stock-the-bar party, too, to help for that, and then we
17 bought all the beer and liquor, also.

18 Q Okay. So you used the liquor provided at the
19 stock-the-bar party by your friends and relatives at your
20 wedding; is that right?

21 A This was a couple bottles. We went out and bought
22 much, much more, also. There was just a couple bottles.
23 It was a small engagement party that we had, so we got a
24 couple bottles, yes, ma'am.

25 Q How did your wedding party travel from the church to

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1 the reception at the Mansion?

2 MR. ASBILL: Objection, relevance.

3 MS. ABER: I can make a proffer that Ms. Young
4 didn't pay for several expenses out of her wedding.

5 THE COURT: All right. Go ahead.

6 BY MS. ABER:

7 Q How did you all travel from the church to the
8 reception?

9 A A friend of ours, when he travels, travels in his
10 limo. And he was invited to the wedding and he came up
11 and so he let us use his limo. He was staying at the
12 hotel next-door where all the guests were staying. So he
13 let the limo drive us down the street to the church and
14 back.

15 Q What kind of limo was it?

16 A I think it was an Excursion, if I remember correctly.

17 Q Where did you purchase your wedding dress?

18 A It was at Maya Couture down in Virginia Beach.

19 Q Did you pay for that?

20 A We paid --

21 MR. ASBILL: I object, relevance.

22 THE COURT: I've heard enough.

23 MS. ABER: Your Honor, if I may? Your Honor,
24 Ms. Young respectfully is saying she paid for a bunch of
25 her wedding and in fact the evidence is that she did not

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1 pay for several high ticket, big ticket expenses in this
2 wedding. And further, the statements about the wedding
3 dress go further to representations her father made to the
4 media.

5 THE COURT: Go ahead and answer the question,
6 but so far, every answer is she paid for it or most of it.
7 If you've got something that indicates that she didn't pay
8 for stuff, let's get to it.

9 MS. ABER: I'm sorry, Your Honor, that she did
10 or did not?

11 THE COURT: That she did not.

12 BY MS. ABER:

13 Q Did you pay for the wedding dress?

14 A We paid \$43, yes, ma'am.

15 Q What was the original value of your wedding dress?

16 A I don't remember the actual cost. It was somewhere
17 over a thousand dollars. And I had a friend that worked
18 at a wedding store and she called me and said -- and they
19 do this for a lot of people -- they called and said that
20 they wanted to give me a thousand dollars' gift
21 certificate off for any wedding dress that I wanted. So I
22 decided I was down in Virginia Beach, just driving back,
23 we decided to stop in and look. I didn't even know what
24 style I liked. And me and my girlfriends tried on a bunch
25 of dresses and we tried on this one and we all started

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1 crying when I had it on because it ended up being the
2 dress. And the dress at the time was a little bit over a
3 thousand. It was on sale that day. So when we went to
4 the checkout, it ended up being \$43 and I don't know how
5 many cents.

6 Q That was the sales tax, right?

7 A I'm assuming.

8 Q Did you and your fiance' pay for your wedding rings?

9 A We have not, no.

10 Q They were a gift from someone else as well?

11 A They were not supposed to be a gift, and I have asked
12 the gentleman to please send us, multiple times, to send
13 us the bill for them, and he has not.

14 Q Did you give jewelry to your bridesmaids?

15 A I did.

16 Q Did you pay for that?

17 A I did not.

18 Q Did you give favors to your wedding guests?

19 A I did.

20 Q Did you pay for that?

21 A We paid for some of them, yes, ma'am.

22 Q Is it fair to say you did not pay for the engraved
23 silver picture frames provided to the guests?

24 A We did not.

25 Q I'd like to show you Government Exhibit 549, please.

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1 Do you recognize this photo, Ms. Young?

2 A Yes, ma'am.

3 Q Is it fair to say this is a picture of your mother
4 and your brothers at your wedding?

5 A It is.

6 MS. ABER: I'd like to move 549 into evidence.

7 THE COURT: It will be admitted.

8 BY MS. ABER:

9 Q So that's your mother in the middle. Can you
10 identify your brothers on the sides, please?

11 A Looking at it, the one on the right is Sean and the
12 one on the left is Bobby.

13 Q Do you know how your mother's dress was purchased?

14 A I do now.

15 Q At the time of your wedding, did you know where it
16 came from?

17 A I don't remember. I don't believe so. I'm not sure.

18 Q Okay. When did you find out?

19 A I don't remember when I actually found out. I found
20 out a lot of information over the past couple years that I
21 don't know.

22 Q As you sit here today, do you believe you found out
23 about the purchaser of this dress before the media started
24 publicizing these stories or after?

25 A I can't say accurately. I'm not sure.

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1 Q Okay. Let's look at Government Exhibit 548, please.

2 Is this also a picture from your wedding, Ms. Young?

3 A Yes.

4 Q Let's zoom in, please.

5 MS. ABER: And I move to admit 548.

6 THE COURT: It will be admitted.

7 BY MS. ABER:

8 Q Do you see your parents in this picture, Ms. Young?

9 A Yes.

10 Q On your screen, if you touch, you can identify where
11 they are in the back. Is it fair to say they are sort of
12 in the center of the picture?

13 A Yes.

14 Q Okay. Then turning to Page 2 of the exhibit, do you
15 see your mother in this picture?

16 A Yes, I do.

17 Q Okay. You can take that down, Ms. Taylor. I'd like
18 to direct your attention actually away from the wedding
19 and to the following month of July of 2011. Did you
20 attend a family vacation -- would you like some water?

21 A I have some.

22 Q Okay. Did your family take a vacation to Smith
23 Mountain Lake that summer?

24 A Yes, we did.

25 Q Can you tell the jury where Smith Mountain Lake is?

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1 A I don't know, it is like two hours away.

2 Q And who went on this family vacation?

3 A My whole entire family.

4 Q Where did you guys stay?

5 A We stayed at Mr. Williams's house.

6 Q Can you tell the jury --

7 A I'm sorry.

8 Q That's okay, take your time. Can you tell the jury a
9 little bit about what the house looks like?

10 A It is on the point. It is on the lake. It is on the
11 water.

12 Q Could we bring up Government Exhibit 181, please?

13 THE COURT: Do you need a break? We can take a
14 break. Let's take ten minutes. Just take the jury out.

15 (The jury left the courtroom.)

16 We will be back in ten minutes.

17 (Recess taken from 3:27 p.m. to 3:36 p.m.)

18 ///

19 ///

20 ///

21 ///

22 ///

23 ///

24 ///

25 ///

1 THE COURT: All right. Ms. Young, are you ready
2 to proceed?

3 THE WITNESS: Yes, sir. Thank you.

4 THE COURT: All right. Let's bring in the jury,
5 please.

6 (The jury entered the courtroom.)

7 THE COURT: All right. Government.

8 BY MS. ABER:

9 Q Ms. Young, I'm going to bring up Exhibit 181, just
10 the second page of it. Do you recognize this photograph?

11 A Yes, ma'am, I do.

12 Q And what is it?

13 A It's Mr. Jonnie's -- or Mr. Williams' house on Smith
14 Mountain Lake.

15 MS. ABER: Your Honor, I'd like to move the
16 second page of 181 into evidence.

17 THE COURT: What's the number?

18 MS. ABER: 181.

19 THE COURT: All right. It will be admitted.

20 BY MS. ABER:

21 Q And so how long did you all stay?

22 A It was just a weekend. I came Friday after work, so
23 sometime that evening, and I left Sunday after brunch. So
24 early afternoon, I think.

25 MS. ABER: Let's bring up Government Exhibit

1 198, please. Can you zoom in, Ms. Taylor, please.

2 BY MS. ABER:

3 Q Is this an e-mail from your husband to you with
4 copies to your brothers and your parents and your sisters?

5 A Yes, ma'am.

6 Q On August 4th, 2011?

7 A Yes, ma'am.

8 MS. ABER: Okay. I'd like to move Government
9 Exhibit 198 into evidence.

10 THE COURT: It will be admitted.

11 BY MS. ABER:

12 Q And what is the subject of this e-mail?

13 A Mom and dad in Ferrari.

14 Q And is there a picture attached?

15 A Yes.

16 Q Let's look at page 2, please. Does that depict both
17 of your parents in a Ferrari?

18 A Yes, ma'am.

19 Q Do you know where this photograph was taken?

20 A It was taken in the driveway of Mr. Williams' house.

21 Q Do you know whose Ferrari that is?

22 A Mr. Williams'.

23 Q Did your father drive that Ferrari during your
24 weekend at Smith Mountain Lake?

25 A On that Sunday I think he drove it down the street,

1 and I -- from the best of my memory, I think he drove it
2 to brunch that Sunday.

3 Q Now, while serving as Governor, did your father
4 typically drive himself?

5 A No, ma'am.

6 Q Who drove him?

7 A The Executive Protection Unit with the state police.

8 Q Were you with your parents when they returned from
9 Smith Mountain Lake to Richmond?

10 A No, ma'am.

11 Q Did you leave early?

12 A Yes, ma'am.

13 Q Changing subjects yet again. I'd like to go back to
14 2011 before the wedding. We're not talking about the
15 wedding. Did your mother ever discuss her ownership of
16 Star Scientific stock with you?

17 A I don't remember a conversation about that, no,
18 ma'am.

19 Q At the time of your wedding, did your mother offer to
20 give you and your husband Star Scientific shares as a
21 wedding gift?

22 A She told us about it, yes, ma'am, and --

23 Q And when did she do that?

24 A It was June 6th, that Monday. It was about 4 in the
25 morning. My parents drove us to the airport to take us to

1 our honeymoon. And on the car ride there, we were going
2 over all the logistics and giving them all the information
3 for our honeymoon, where we're going to be so in case
4 something bad happened, they would have that information.

5 And as we got to the airport, my mom gave us
6 this little makeshift kind of certificate, telling us that
7 she had gotten these thousand shares of Star Scientific to
8 give to us for our wedding gift.

9 Q So she made up a -- like a little handwritten
10 certificate for you guys?

11 A Yes, ma'am.

12 Q Do you still have that certificate?

13 A I do not.

14 Q Did your mother indicate whether she presently owned
15 the stock?

16 A Not to my memory. I don't think -- I don't know if
17 she said it one way or another.

18 Q Let me step back for a moment. This trip to the
19 airport, who was driving?

20 A The EPU.

21 Q Okay. So folks from the Executive Protection Unit
22 are driving?

23 A Yes, ma'am.

24 Q And who else is in the vehicle with you?

25 A There -- there was two EPU, I remember -- if I

1 remember correctly. There was always two. Then my
2 husband and I and my parents.

3 Q And when your mother is handing you this certificate,
4 did she say anything about the quality of this investment,
5 that it was a good one?

6 A What do you mean? I'm sorry.

7 Q Did your mother say, "Hey, this is a great stock"?
8 Did she say anything about what she believed in stock --
9 in Star?

10 A Oh, yeah. She thought it was, you know, going to be
11 really good. You know, she believed in it. And she had
12 told me about Anatabloc previously, thinking that it would
13 help me because I have a lot of joint and body issues. So
14 she thought -- she had told me about Anatabloc previously.

15 Q At some point in time in reference to this stock gift
16 to you, did your mother reference using money from her
17 father's passing to purchase the stock?

18 A She did. I don't know if it was at that point or
19 when she said that to me, but she did say that she used
20 the inheritance she got after my grandfather passed away
21 to buy the stocks.

22 Q Now, you were the first McDonnell child to get
23 married, right?

24 A Yes, ma'am.

25 Q And did your mother indicate whether she was going to

1 provide similar gifts for your siblings when and if they
2 got married?

3 A She did. And, again, I'm not sure when she said
4 this. I don't think this was in the car because the car
5 was very, very brief when she was giving them to me. But
6 she did she did say that, excuse me, it was her plan to
7 give a thousand shares to each child when they got
8 married.

9 Q Did you actually get the Star shares in the June of
10 '11 time period?

11 A No, ma'am.

12 Q When did you actually get them?

13 A It was December of 2012 when we were filling out the
14 forms.

15 MS. ABER: Okay. Let's bring up Government
16 Exhibit 446, please.

17 BY MS. ABER:

18 Q Is this the form you were talking about, a brokerage
19 opening account at Davenport & Company?

20 A Yes, ma'am.

21 MS. ABER: Okay. I'd like to move Government
22 Exhibit 446 in evidence.

23 THE COURT: It will be admitted.

24 MS. ABER: Ms. Taylor, if we could back out for
25 a second so the jury can see it. Thank you.

1 BY MS. ABER:

2 Q So this is your particular form?

3 A Correct.

4 Q Do you know if your siblings filled out similar
5 forms?

6 A To my knowledge, yeah -- I'm not sure.

7 Q Yeah, that's all. Your knowledge.

8 A I don't know.

9 Q Okay. Why did you open this Davenport account at
10 this time period, in December of '12?

11 A To put the stocks into that account, to set up an
12 account for it.

13 Q So you were opening this Davenport account
14 specifically for the Star Scientific shares your mother
15 was going to give to you?

16 A Correct.

17 Q Now, why were you doing this at the end of December
18 of 2012?

19 A My mother had told us that the -- well, it was
20 already our gift. We just never went about exchanging it.
21 But she had told us that the tax laws were changing and
22 that obviously it needed to be in our name for us to
23 either reap the benefits or not have -- I don't remember
24 exactly what the -- the tax laws were changing with the
25 administration or with the -- the new law that was taking

1 effect in January 1st.

2 Q Of 2013?

3 A '13, yes, ma'am.

4 Q And so what were the circumstances of your mother
5 telling you about these tax laws changing? Were you with
6 your family?

7 A It was Christmas Day, Christmas evening. It was
8 after dinner. We had had dinner and we cleaned up, were
9 doing the dishes, all that kind of thing, and my mother
10 was speaking to some of us kids and explaining this. I
11 don't know if the other kids knew about the stock yet.

12 Q Who else was present?

13 A No one else was married at this point in time. So I
14 don't know if the rest of the children else knew about the
15 stock. But I remember Rachel, Bobby, and Sean being there
16 at the table when my mother was telling us about this and
17 giving us these forms.

18 Q So was your father there?

19 A I'm sorry?

20 Q Was your father there?

21 A I'm not sure.

22 Q Christmas dinner, you're not --

23 A This was not Christmas dinner. This was way after
24 Christmas dinner. We had already cleaned up everything.

25 I'm not saying that he wasn't there. I just

1 don't recall. I just remember the three siblings sitting
2 across the table from me as we're talking about the form.

3 Q What about your older sister Jeanine, was she there?

4 A I'm not sure. At that point they were going back and
5 forth between her and her fiance at the time's house. His
6 family lives in Richmond also. And I just don't recall
7 whether they were sitting there. I just remember the
8 three little siblings sitting there.

9 Q Did your mother hand you all documents, these account
10 opening forms for you all to fill out?

11 A Yes, ma'am. She had already printed them out and
12 gave them to us.

13 Q And did you fill them out while you were there?

14 A My husband and I did not, no, ma'am.

15 Q What about your other siblings?

16 A I don't remember what they did.

17 Q Okay. When did you complete your form?

18 A I honestly think it was New Year's Eve. I think we
19 were rushing to get it in. Because my husband wanted to
20 look into it and talk to Mr. Piscitelli, who we were
21 opening this with, and do some of his own research before
22 we just jumped in.

23 Q And who is Mr. Piscitelli?

24 A He works with Davenport and he's also a very close
25 family friend of ours and he's my little sister's God

1 Father too.

2 Q Ultimately, did you, in fact, have a Davenport
3 account opened?

4 A Yes, ma'am.

5 Q And your mother gave you those thousand shares of
6 Star stock?

7 A Correct.

8 MS. ABER: I'd like to bring up Government
9 Exhibit 455, please. And if we could zoom in, sort of on
10 the bottom so Ms. Young can -- take it from the bottom and
11 go and back up to the top. If we could scroll so she
12 could see that, please.

13 A Can you go down now? I don't --

14 BY MS. ABER:

15 Q And I have a paper copy, actually, if that's easier,
16 Ms. Young. I don't mean to rush you.

17 A Either way. I just -- I don't remember seeing this.
18 So I was just trying to read it. Okay.

19 Q Is it fair to say this is an e-mail chain between you
20 and Mr. Piscitelli and you and your husband at the end of
21 the year of 2012, in the beginning of 2013?

22 A Yes, ma'am.

23 MS. ABER: Your Honor, I'd move 455 into
24 evidence.

25 THE COURT: It will be admitted.

1 BY MS. ABER:

2 Q Can you explain, starting at the bottom there, why
3 you were sending Mr. Piscitelli an e-mail on
4 December 31st, 2012? What were you sending to him?

5 MS. ABER: Up one page, Ms. Taylor.

6 A It says, "ID." So I guess I was sending him my ID.

7 BY MS. ABER:

8 Q Was that to go with your Davenport opening account
9 forms?

10 A To the best of my memory, yes, ma'am.

11 Q Okay. And moving up a little bit, on January 2nd at
12 8:49 a.m. you are writing to Mr. Piscitelli; is that
13 correct?

14 A Yes, ma'am.

15 Q Okay. And then zooming -- scrolling up, scrolling up
16 a little more, can you read for the jury what you're
17 writing at 9:16 to your husband and Mr. Piscitelli?

18 THE COURT: I'm having a problem hearing you.
19 Could you --

20 MS. ABER: Oh, I apologize, Your Honor.

21 BY MS. ABER:

22 Q Ms. Young, there's a top e-mail on there at 9:16.
23 Could you please read it to the jury?

24 A It says, "Did we miss the deadline now for last year?
25 I know mom really wanted it done last year. Sorry we're

1 so late."

2 Q And why did your mom really want it done last year?

3 A Because of the tax laws is what she told us.

4 Q And why were you rushing to get these forms done on
5 New Year's Eve?

6 A Because it was the end of the year.

7 MS. ABER: Thank you. You can take that down,
8 Ms. Taylor.

9 BY MS. ABER:

10 Q Now, was the Star Scientific stock your parents'
11 primary wedding gift to you and your husband?

12 A No, ma'am. They gave us -- they gave us some
13 furniture and things also.

14 Q And do you know whether your parents also gave the
15 thousand shares to each of your siblings at this time, at
16 the end of December 2012?

17 A I can't answer that.

18 Q Now, before the media started reporting on the
19 investigation into your parents in March of 2013, were you
20 aware that Mr. Williams had loaned your mother \$50,000 in
21 May of 2011?

22 A I found out, it was Easter weekend. It was right
23 before the first article broke on Easter Sunday.

24 Q In 2013?

25 A Yes, ma'am.

1 Q And from whom did you learn that information?

2 A My mother.

3 Q And before the media started reporting on this --

4 these matters in March of '13, were you aware of

5 Mr. Williams' 50,000-dollar loan to your parents in March

6 of 2012?

7 A No, ma'am.

8 Q And before the media started reporting, were you

9 aware of Mr. Williams' 20,000-dollar loan to your parents

10 in May of 2012?

11 A No, ma'am.

12 MS. ABER: One moment, please, Your Honor.

13 Thank you, Your Honor. I have no further questions.

14 THE COURT: All right. Cross.

15 **CROSS-EXAMINATION**

16 BY MR. ASBILL:

17 Q Good afternoon, Ms. Young. How are you?

18 A Good. How are you?

19 Q With respect to the last series of questions that you

20 were just asked; namely, were you aware of a 50,000-dollar

21 loan to your parents, of another 50,000-dollar loan to

22 your parents, et cetera, you don't have any idea whether

23 or not the loans were to your parents or to a company or

24 to your mother independently, do you?

25 A I have no idea --

1 Q So --

2 A -- or had no idea.

3 Q With respect to the stock certificate or the stock,
4 the thousand shares of stock in 2012 at Christmastime,
5 your parents didn't give you that gift. Your mother gave
6 you that gift; isn't that correct?

7 A Correct.

8 Q Your father never indicated to you that he had
9 anything to do with it or knew anything about it; is that
10 correct?

11 A Yes, sir.

12 Q Now, when your mother told you that she -- she wanted
13 to open -- you to open an account at Davenport and the tax
14 laws were changing or whatever, Chris, your husband,
15 wanted to investigate this; is that correct?

16 A Yes, sir.

17 Q All right. So he wanted to investigate whether
18 Davenport was an appropriate company with which to deposit
19 stock, basically?

20 A Yes.

21 Q And did he want to investigate whether or not owning
22 this stock was something that was worth doing, or as
23 opposed to selling it or --

24 A Correct. He wanted to --

25 Q -- some kind of investment?

1 A I had never had stock before. And so he had a lot of
2 the knowledge that I didn't, and he wanted to look into
3 that and ask a bunch of questions about this firm compared
4 to others and that sort of thing.

5 Q Okay. Going back to the day you left your -- left
6 Richmond to go on your honeymoon, that was June 6, 2011;
7 is that correct?

8 A Yes, sir.

9 Q All right. And you said you went to the airport at
10 approximately 4 a.m. in the morning?

11 A It was -- I think our flight was around 6 or so in
12 the morning. So I think we were on the way at 4 --

13 Q Okay.

14 A -- ish.

15 Q You and Chris and your mom and dad, and the EPU was
16 driving --

17 A Yes.

18 Q -- is that correct?

19 All right. And how long is the trip from the
20 mansion to the airport?

21 A I would estimate, I don't know, 15, 20 minutes maybe.
22 I'm not sure. Not that far.

23 Q And how awake were you all?

24 A Well, Christopher and I were on cloud nine because we
25 were finally getting to go to our honeymoon after planning

1 this entire wedding. My parents, on the other hand, were
2 half asleep. We -- we drove there to my parents' house
3 from our home, and I think they were still in bed and so
4 we were not exactly happy with them because we were going
5 to be late. So we were yelling at them to kind of get
6 moving. And my dad is not the greatest in the morning. I
7 get that from him. So we were kind of dragging them out
8 to get in the car so we could go.

9 Q Okay. And on the -- on the way to the airport for
10 this 15-minute trip, you were trying to tell your mom and
11 dad about the logistics, like where you were going and how
12 you can get in touch with me if you need me, et cetera?

13 A Correct. First, we talked a couple minutes about the
14 wedding and just recapping, because I hadn't seen them
15 since we left the wedding night. And then my husband had
16 a whole folder worth of every kind of document you can
17 think of having to do with our honeymoon and everywhere we
18 were going and location and all that kind of thing. So we
19 were going over piece by piece with my parents.

20 Q Okay. And at some point during the trip your mom
21 took out a piece of paper and drew like a CigRx stock,
22 1000 shares, on the piece of paper?

23 A Correct. She was scribbling in the back, I didn't
24 know what she was doing, as we were going over these
25 documents.

1 Q So this was not a stock certificate. It was a mock
2 stock certificate?

3 A Correct. It was just like a white piece of printer
4 paper that she wrote on.

5 Q Okay. And did you have any idea, you know, what this
6 was worth or anything of that nature at that time?

7 A I don't know if she told me at that time, but I found
8 out what it cost.

9 Q Well, do you know whether she owned the stock at the
10 time or not or whether this was to be purchased and given
11 to you?

12 A I have no idea.

13 Q Okay. And it took a year and a half for you to -- or
14 more, for you to get the certificates?

15 A Yes.

16 Q Actual stock certificates?

17 A Correct.

18 Q And between June of 2011 and the end of December 2012
19 when you opened this account at Davenport, did you have
20 any more discussions about this with anyone?

21 A I don't remember having a discussion about it. Kind
22 of slipped my mind. I didn't -- didn't really think about
23 it.

24 Q Was it particularly important to you and Chris
25 financially or for any other reason over the next year and

1 a half?

2 A We weren't dependent on it financially, no, sir.

3 Q Now, the Smith Mountain Lake trip, the pictures of
4 your dad in the Ferrari. You say he never drove as a
5 Governor, generally?

6 A Not really. I mean, when my sister got her new car,
7 he drove it around the block and little things like that,
8 but --

9 Q Okay.

10 A But I also wasn't with him all the time. So I can't
11 tell you what he did every day, but --

12 Q Well, when you got to Smith Mountain Lake, was this
13 Ferrari there?

14 A To the best of my knowledge, yes, it was already
15 there.

16 Q Do you have any idea how it got there or when it got
17 there?

18 A I have no idea.

19 Q Do you have any idea what discussions there may have
20 been with Jonnie Williams and with him about it?

21 A I have no idea.

22 Q Do you have any understanding of whether or not
23 Mr. Williams asked your father to bring it back as a favor
24 to him, bring it back to Richmond?

25 A No, sir.

1 Q Was it a nice car?

2 A Yeah. I mean, I particularly like my Ford Escape.

3 That's -- so I'm happy with that.

4 Q Seemed like a fun thing to drive for a couple hours
5 back to Richmond?

6 A I'm sure it would have been.

7 Q How about the -- you said three days you were there
8 at Smith Mountain Lake at Jonnie Williams' house; is that
9 correct?

10 A It was maybe 48 -- well, I got there Friday evening
11 and left Sunday afternoon. So --

12 Q Do you have any idea how that trip was set up?

13 A I was not involved in it. I was just given the
14 information.

15 Q And who was there?

16 A It was the -- the five siblings, my mother and
17 father, and then that was the first time that my husband
18 Christopher was able to go on a family vacation. It's
19 something my family does. We don't have anyone else
20 outside of our family go on vacations until you're married
21 in the family. So it was pretty exciting because that was
22 the first one he could go on.

23 Q Okay. And was this the first time you had any real
24 opportunity to have any sort of family time with your mom
25 and dad in a while?

1 A Yeah, it had been.

2 Q Particularly with your father?

3 A Yeah. I didn't -- during the election and during his
4 time as Governor and even AG, barely ever saw my father.

5 Q Now, with respect to the wedding gifts that you were
6 asked about, the limo ride, who was that from?

7 A Dr. Davis.

8 Q Who is Dr. Davis?

9 A Well, he's recently passed away, but he's a good
10 family friend of my family's.

11 Q And how long has Dr. Davis known your family?

12 A Oh, I don't even know how long. Since we lived back
13 in Virginia Beach they've been friends. I don't know
14 exactly how long.

15 Q All right.

16 A I think it was my mom's doctor for years and years
17 and years.

18 Q Did you ask him to give you, you know, a limo or use
19 his limo for 10 or 12 hours or whatever?

20 A No, sir.

21 Q Do you know whether -- did your dad ask him to lend
22 you the limo or use the limo?

23 A Not to my knowledge. He said, "I'm driving up there
24 in it. I'd love for you to use it, and it's just going to
25 sit there otherwise, you know."

1 Q With respect to the other gifts, the engraved frames
2 or -- those were, what, bridesmaids' gifts?

3 A The frames were gifts for the people invited to the
4 wedding. It was one per family.

5 Q All right. And those were from whom?

6 A Mr. Ramadan.

7 Q And who is Mr. Ramadan?

8 A He's -- he's a friend of ours. He's -- he's a
9 jeweler. And as part of the jewelry company, they had
10 different gifts like that, like the picture frames. And
11 he's now a state delegate.

12 Q Is he a personal friend of yours and Chris'?

13 A Yes, he became one.

14 Q Before the wedding?

15 A Yes, sir.

16 Q Did your father have anything to do with whatever
17 Mr. Ramadan wanted to give you as a wedding gift?

18 A No, sir. I had meetings with Mr. Ramadan.

19 Q With respect to the wedding dress, did your father
20 have anything at all to do whatsoever with the wedding
21 dress in terms of how you got that or --

22 A No, sir.

23 Q -- or the cost or anything else?

24 A No, sir. That was through me.

25 Q Did you ever talk to your father about the wedding

1 dress before 2013, in terms of the cost of the wedding
2 dress or how you got it?

3 A I don't remember a specific conversation.

4 Q I mean, did you ever -- do you remember in 2013,
5 after the investigation began, do you remember talking to
6 your father about the wedding dress?

7 A I can't -- I can't think of a specific conversation.
8 But if there was one, I would have told him exactly what
9 happened.

10 Q Okay. And did you -- did you -- is that -- would
11 that be the first time he would have knowledge of whatever
12 the issues, the cost was or gift certificates or anything
13 of that nature?

14 MS. ABER: Objection.

15 THE COURT: Sustained.

16 BY MR. ASBILL:

17 Q Do you know whether he had any independent knowledge,
18 before talking to you in 2013, about anything relating to
19 the dress?

20 MS. ABER: Objection.

21 THE COURT: Sustained.

22 BY MR. ASBILL:

23 Q You never had any discussions with him about it that
24 you can recall?

25 A No, sir. My dad was not involved in any of the

1 wedding planning whatsoever except for I wanted him to
2 look over the contract and the guest list.

3 Q And the person who ran this store, the wedding dress
4 store, is that somebody that's a friend of your father's?

5 A No, sir.

6 Q Whose friend is it?

7 A The young lady that works there is my friend, and
8 she -- she doesn't own it, but it's a friend of mine. And
9 she called me and made the offer.

10 Q Were you surprised that when you got married in the
11 mansion and you were the Governor's daughter at the time
12 that folks wanted to give you gifts?

13 A It was -- I mean, it was very flattering. I was not
14 going out asking for any -- any gifts or anything from
15 anybody. You know, it was flattering that people wanted
16 to help us because they liked us or liked my parents.

17 Q Did you think that any of it had anything to do with
18 any return promise from your father as Governor?

19 A No, sir.

20 Q You wanted to pay for the wedding yourself; is that
21 correct?

22 A I did.

23 Q And how much of the wedding did you and Chris
24 actually pay for?

25 A I think it was somewhere over \$12,000. My husband

1 did a lot of the money so he -- he knows that better than
2 I do. He was the bookkeeper, so to speak.

3 Q But your understanding is that you and Chris yourself
4 paid \$12,000 for your wedding; is that correct?

5 A Yes, sir.

6 Q All right. Are you embarrassed that other folks gave
7 you gifts for the wedding?

8 A I am now. You know, at the time, I thought people
9 were wanting to just do something nice and help us out,
10 and if I could go back, obviously, I wouldn't have taken
11 anything. I would have done like Christopher and I wanted
12 to do and just have a small backyard wedding and just have
13 our friends and family together and pay for everything
14 ourselves and not let anyone else get involved. Because,
15 you know, our wedding is now -- has this black cloud over
16 it, you know, with all of this that's gone on and you
17 can't look back at it with a happy memory.

18 Q Your plans basically, and Chris' plans, got hijacked?

19 A They did.

20 Q Is that fair to say?

21 A Yes, sir.

22 Q Partly by Chris' mom and dad. They wanted to give
23 you the rehearsal dinner?

24 MS. ABER: Objection. Relevance.

25 THE COURT: Overruled.

1 A Yes, they wanted to pay for the rehearsal dinner.
2 They came up with the \$4,200 and they said, "This is what
3 we can give you for that." Obviously, if we went over
4 that, it would have been coming from us. But, I mean, at
5 that point it just wasn't worth the fight anymore with --
6 with them.

7 BY MR. ASBILL:

8 Q And your dad paid 8 grand towards the catering?

9 A Yeah. He did that behind my back. I did not know he
10 had paid that. I asked him strictly just to look at the
11 contract and make sure that everything looked right
12 legally and all of that. And he told me that he had made
13 some corrections and sent it back to Mr. Greer. He did
14 not tell me that he signed it or that he started writing
15 checks. I found out later, and I was very upset with him
16 because he was not supposed to do that.

17 Q In terms of planning to pay for your own wedding, you
18 said you started doing that and started trying to put that
19 together after you were engaged?

20 A Correct. My husband had been saving way before he
21 ever proposed. He paid for my ring in cash because he had
22 been saving for such a long time, and then he had his own
23 money set aside. And you would have to ask him, but I --
24 it was several -- several thousands of dollars set aside
25 for the wedding. And then him and I started what we

1 called the wedding fund, and every paycheck we had a
2 certain amount that went straight into this wedding fund.
3 At one point I was doing -- I got paid biweekly. So it
4 was 300 every paycheck. So 600 a month, and I think my
5 husband was 800 a month that we put straight into this
6 wedding fund so that we would have the money saved there
7 to pay for everything.

8 Q So if I understand you correctly, Chris started
9 saving for the wedding before he even knew you would marry
10 him?

11 A Yeah. I guess he was pretty hopeful. But yeah, he
12 had been saving way before.

13 Q And Chris saved on his own even before you were
14 married, \$10,000 for the wedding. Is that your
15 understanding?

16 A I think that's what it was about. You'd have to ask
17 him. I don't know the exact price, but yes, sir.

18 Q And then the two of you saved together for the next
19 year and a half?

20 A Yes, sir.

21 Q Before your wedding?

22 A Correct.

23 Q And by the way, what kind of job does Chris have?

24 A He's a civil engineer. He does transportation
25 design. He designs bridges and roads.

1 Q All right. And where do you work?

2 A I work for the Henrico Commonwealth Attorney's
3 Office. I'm a victim advocate. I'm in the juvenile and
4 domestic court. So I deal with victims of domestic
5 violence, sexual assault, murder, that kind of thing.

6 Q And prior to working in that office, tell us a little
7 bit about your educational background.

8 MS. ABER: Objection, Your Honor.

9 THE COURT: No, you can go ahead and answer the
10 question.

11 A I went to Old Dominion and got my undergrad in -- I
12 got a bachelor of science in criminal justice. And I
13 immediately -- that was when we moved up here, when my dad
14 became AG. And I went back to VCU and I got my master's
15 in criminal justice. And during that time, I was a
16 full-time master student and I was a graduate teacher's
17 assistant at VCU and then I was also working at the
18 National White Collar Crime Center.

19 And then after that, I worked on my father's
20 Governor campaign. I was the youth outreach coordinator.
21 So I was going around speaking to high schools and
22 colleges and the young professionals, and then I started
23 and I've been at the Commonwealth Attorney's Office for a
24 little over four years now.

25 Q Did you pay for any of your education?

1 A I did.

2 Q What did you pay for?

3 A My father started a savings program before, when we
4 were younger, and then we took out some loans and I'm
5 paying all of those back.

6 Q Now, aside from your testimony about wanting to --
7 you and Chris wanting to pay for our own wedding because
8 you -- that's what you understood your parents had done
9 and you thought that was admirable and you wanted to do
10 it, were there other reasons why you wanted to pay for or
11 control your own wedding?

12 A We didn't really want this wedding to get out of
13 control and become some big political mess, and I was very
14 firm with my father that I did not want him working at my
15 wedding. No matter where he is, people are always coming
16 up to him and, you know, talking work and he never gets to
17 just relax.

18 So we were -- we wanted control over it because
19 we didn't want it to turn into something that it wasn't.
20 And it was also, we thought it spoke a lot of us as a
21 couple and we didn't want it to be this big fancy thing.
22 We really just wanted to dance in the backyard with our
23 close family and friends.

24 Q Is it fair to say that you really wanted to have some
25 personal family time with your mom and dad at this

1 wedding?

2 A I did. I did. I didn't want them to be off working
3 or doing who knows what. I wanted them to be on the dance
4 floor with us and enjoying themselves. You know, I
5 never -- didn't really get to see my dad that much or my
6 mother. I mean, I had to put this on his -- I'm sorry,
7 put this on his schedule. Whenever we first picked the
8 date, I had to e-mail his scheduler and get the wedding
9 date on there to make sure this they saved that.

10 And, I mean, that's how it was. Anytime I ever
11 wanted to see my father, I had to go through a scheduler
12 and weeks and weeks and weeks, you know, before I could
13 set something up with him. And days to call back. I
14 mean, he was just extremely busy.

15 Q And you didn't want this wedding to be with a lot of
16 folks, a lot of political people or other people that you
17 didn't know?

18 A Correct. We wanted people that Christopher and I
19 knew as a couple together. We didn't want to be meeting
20 people at our wedding.

21 Q Now, going back to the -- to the wedding contract
22 itself, did you ever meet with Ryan Greer to discuss the
23 terms of the catering?

24 A Yeah. We met with him a couple times.

25 Q And when did -- when you say "we," you mean you and

1 Chris?

2 A Yes.

3 Q And when did you meet with Ryan?

4 A I don't know the exact dates. We met with him a few
5 times, and there's numerous e-mails and phone calls and
6 texts going back and forth through this whole process.

7 Q And did that start in the fall of 2010?

8 A Yeah -- yes.

9 Q And where is the first time -- do you recall where
10 the first time is that you met with Ryan?

11 A We first met with Mr. Schneider to ask him --

12 Q Okay.

13 A -- and that was at his restaurant.

14 I think the first time we met with Mr. Greer --
15 I'm -- I think it might have been the mansion. I'm not
16 sure.

17 Q Okay. And this correspondence back and forth or
18 phone calls and stuff, I mean, was your dad involved in
19 this?

20 A No, sir.

21 Q And did you make it very plain to Chef Todd and Ryan
22 what your budget was?

23 A Yeah. We -- that was another thing with the contract
24 and why it kept -- why it was so long that it took to get
25 back because we kept chopping, chopping, chopping.

1 Because I think the first time they came back to us it was
2 \$24,000, and that was just outrageous. You know, they --
3 Todd and other people were saying that I'm the governor's
4 daughter. I have to have this certain level of, you know,
5 what everyone sees and all this kind of stuff. And so
6 they were all telling us what we needed to have and what
7 things needed to look like. And so we just kept chopping
8 and chopping. I mean, we really just wanted chicken and
9 mashed potatoes, you know, something very simple.

10 Q When you say they were telling you what you needed to
11 have, who's "they"?

12 A It was Todd and Mary-Shea.

13 Q Had Mary-Shea previously been married herself in the
14 mansion?

15 A At the first meeting that we had with her, I'm not
16 sure. I think it might have been before she was married.

17 Q Was she married before you?

18 A She was.

19 Q And did she get married at the mansion?

20 A She had her ceremony there. She got married in a
21 church.

22 Q And in terms of sort of fancying up the wedding, the
23 push was from those two?

24 A Yes.

25 Q Is that correct?

1 A Yes, sir.

2 Q So whatever kind of modest menu you wanted, it
3 started getting more elaborate?

4 A It did. I didn't even get to see all the food at the
5 wedding. I didn't eat any of it, but we -- one of the
6 things was we wanted fruit. And I've seen pictures since
7 of -- it was a watermelon carved into a swan and all this
8 fancy kind of stuff when that's not what we had asked for.
9 We really just wanted fruit on a plate.

10 Q Did you view yourself as the client with respect to
11 the wedding contract?

12 A Yes, sir. Everything -- all the conversations,
13 everything going back and forth, it was all through
14 Christopher and myself.

15 Q When you found out at some point after January in
16 2011 that your father had made two initial payments on the
17 contract, you said you were furious with him?

18 A I was.

19 Q And you yelled at him?

20 A I called him and yelled at him, yes, sir.

21 Q And his reaction was what?

22 A I don't remember exactly what he said, but I think he
23 kind of felt like he got a one-up on me because he had
24 control over it and he wanted to pay for something, but I
25 didn't want him to. So I think --

1 Q All right. Eventually you got this -- eventually
2 another check from Mr. Williams, apparently, \$15,000 was
3 sent to the caterer --

4 A Correct.

5 Q -- is that correct?

6 And you found that out when, roughly?

7 A What do you mean? I'm sorry.

8 Q When did you find out that that had happened?

9 A That the check went in?

10 Q Yeah, that Mr. Williams was making -- was giving a
11 wedding gift.

12 A It would have been after I met him. So sometime
13 in -- let's see. I met him April -- sometime early May.

14 Q Of 2011?

15 A Yes, sir.

16 Q All right. And you understood that he was making a
17 payment towards your wedding or making a gift towards your
18 wedding of \$15,000; is that correct?

19 A Yeah. Well, he -- my understanding was that he
20 wanted to pay for the reception.

21 Q All right. And whatever the total cost was, he
22 actually made a payment of \$15,000; is that correct?

23 A Correct.

24 Q Did you thank Mr. Williams for that gift?

25 A I did. We -- my husband and I sent him a thank you

1 card and then we also saw him in July and thanked him
2 personally for the gift.

3 Q All right. And you -- you fully believed it was a
4 gift to you from him; is that correct?

5 A I did. That's what I was told.

6 Q All right. And you talked about, in connection with
7 that, and there was an overage or there's a refund of
8 5,000, \$6,000, whatever it is. I think there's a
9 7,000-dollar check to you that you talked about --

10 A Yes.

11 Q -- from your mother that was given to you by her in
12 the middle of February --

13 A Correct.

14 Q -- is that correct -- of 2013?

15 A Correct.

16 Q And you said that she came over to your house and
17 said she wanted to talk to you, and that's when she gave
18 you the check?

19 A Yes, sir.

20 Q All right. And did she tell you at that time that
21 she had talked about having that refund for a long time,
22 for a year or so, or a year and a half or whatever, and
23 had not given it back to you and she said that her husband
24 was very upset about that? That's basically what she said
25 to you?

1 A I mean, I don't think she made any comments as to how
2 long she had it, but she told me my dad found out about it
3 and was very upset with her, yes, sir.

4 Q Did she tell you your dad found out about it before
5 the Virginia State Police had interviewed your mom?

6 MS. ABER: Objection.

7 THE COURT: Overruled.

8 A My understanding was that he found out right before
9 she came to my house.

10 BY MR. ASBILL:

11 Q And you took that check and you kept it?

12 A I did.

13 Q Because you believed that the gift was to you,
14 correct?

15 A Correct. Yes, sir.

16 Q Ms. Aber referenced speaking to you in the past.
17 Have you met with the prosecutors in this case?

18 A Yes, I have.

19 Q Where was that?

20 A It was at Hunton & Williams was the first time.

21 Q All right. And why at Hunton & Williams?

22 A Because that's where my attorneys are and that's
23 where we met.

24 Q All right. Did you testify in the grand jury in this
25 case?

1 A I did.

2 Q You were subpoenaed to the grand jury?

3 A I think we went in voluntary -- I'm not sure. But we
4 weren't opposed to it. We went and answered all their
5 questions.

6 Q Were you asked to provide pictures from your wedding
7 to the government for use in this trial?

8 A I was.

9 Q And did you do that?

10 A I did.

11 Q And how do you feel about having your wedding be the
12 subject of testimony here today?

13 A It's extremely painful.

14 MS. ABER: Objection.

15 THE COURT: Sustained.

16 MR. ASBILL: Court's indulgence. One second.

17 BY MR. ASBILL:

18 Q The April 29th dinner with Jonnie Williams and
19 Celeste Williams, that's who was there, and your parents?

20 A Yes, sir.

21 Q And that's when you came in to get the video of you
22 skydiving?

23 A Yes, sir.

24 Q And is it fair to say that you were real excited when
25 you came in the door?

1 A I was very excited.

2 Q And were you equally as excited talking to them about
3 your wedding and your wedding plans?

4 A I was. I was very --

5 Q And pointing out the stairs and --

6 A Yeah. I got up and was showing them out the window,
7 and everyone was all very excited.

8 Q Do you recall whether or not you said anything to the
9 Williams about you and Chris doing this or your planning
10 it, paying for it, et cetera?

11 A I can't recall. It wasn't something that we were
12 hiding. It was something we were very proud of and we
13 were telling people. But I just cannot recall exactly if
14 that conversation happened or not.

15 Q Do you know whether there were any further
16 conversations between your parents or your mom alone or
17 your dad alone with Mr. Williams about your plans to pay
18 for your wedding yourself?

19 A I have no idea.

20 Q Did you also thank Jonnie Williams personally --

21 A I did.

22 Q -- for the wedding gift?

23 A I did. It was at my parents' anniversary party,
24 which was in July. My husband and I went up, after the
25 dinner, went up and chatted with him for a while and

1 thanked him again for -- for the very generous and kind
2 gift.

3 MR. ASBILL: That's all the questions I have,
4 Judge.

5 THE COURT: All right. Ms. McDonnell?

6 MR. BURCK: Thank you, Your Honor.

7 **CROSS-EXAMINATION**

8 BY MR. BURCK:

9 Q Good afternoon, Ms. Young. How are you?

10 A Good. How are you?

11 Q I'm going to start where Mr. Asbill left off.

12 A Okay.

13 Q The -- you testified about this dinner on April 29th,
14 you came to the mansion and your parents were having
15 dinner with the Williamses, right?

16 A Yes, sir.

17 Q And was that a business dinner, from your
18 perspective?

19 A It looked like a very friendly dinner. I didn't
20 see -- I don't remember seeing any documents or anything.
21 They were --

22 Q Did it seem like a social dinner?

23 A Yes, sir.

24 Q Was everyone having a good time?

25 A They seemed to be. Everyone was in smiles when I got

1 there.

2 Q Did the subject of who was going to pay for your
3 wedding come up while you were there talking to
4 Mr. Williams and your parents?

5 A I cannot remember. I don't remember all the exact
6 conversations during that time, but it very well might
7 have. It's not something that, like I said, that we
8 had -- we had told numerous people about it because we
9 were proud of ourselves for being able to do that.

10 Q And your mother, you testified, called you a couple
11 days later and told you about this gift that Mr. Williams
12 wanted to give you, the \$15,000?

13 A Correct.

14 Q And did your mother tell you that she had asked
15 Mr. Williams to give you that gift?

16 A She did not.

17 Q What did she tell you?

18 A She told me that Mr. Williams was so impressed by me
19 and really enjoyed meeting me and wanted to pay for our
20 reception as a wedding gift to my husband and I.

21 Q And you added Mr. Williams to the invite list?

22 A We did.

23 Q And why did you do that?

24 A We wanted to add him for, obviously, his generous
25 gift. We added other people that helped us at the time,

1 and we were very honored for him to do that for us. We
2 wanted him to be a part of our special day.

3 Q So you were grateful to him?

4 A Very much.

5 Q And did you understand Mr. Williams to be your
6 mother's friend?

7 A It was my understanding that he was both of my
8 parents' friend.

9 Q And did your mother tell you that?

10 A I mean, my parents said this is our friend, and they
11 were all together having dinner.

12 Q So both of your parents, you understood that
13 Mr. Williams was your parents' friend?

14 A My parents' friend, yes, sir.

15 Q Now, you testified also about the stock certificate
16 that your mother drew up?

17 A Yes, sir.

18 Q The day -- I guess it was the -- two days after your
19 wedding?

20 A Yes. It was that Monday morning.

21 Q And your mother told you that she had -- she wanted
22 to give you a thousand shares of stocks as a wedding
23 present?

24 A Correct.

25 Q And it was in Star Scientific?

1 A Right.

2 Q And you said at some point, maybe then, maybe later,
3 she told you that she wanted to gift stock to all the
4 children as presents, as wedding presents?

5 A Correct.

6 Q And she did that in December of 2012; is that right?

7 A Yes, at that Christmas.

8 Q And you testified that she said that she wanted you
9 to make sure the stock was in your name before the end of
10 the year?

11 A Because of the tax law changing, yes, sir.

12 Q This is December 2012?

13 A Yes.

14 Q Did she mention anything about disclosure laws to
15 you?

16 A She did not.

17 Q I want to talk to you -- you mentioned that she had
18 talked to you a bit about Anatabloc?

19 A Yes.

20 Q And did you understand that Anatabloc was the product
21 of Star Scientific, Mr. Williams' company?

22 A I did.

23 Q Did you believe your mother when she said that she
24 wanted you to take Anatabloc, that it was for your health?

25 A I did. My mother has been very active in nutritional

1 health care since she was 19 and sold different
2 nutritional health care products and had us all on them.
3 And so she did -- I did believe her that it would help me.

4 Q You mentioned 19. What was so special about 19?

5 A My mother had a -- had a breast tumor when she was
6 19. It was very, very scary for her to go through that
7 and she had surgery, and ever since then, she became very
8 involved in nutritional health care and vitamins and being
9 healthy and all that kind of stuff. And so she's always
10 taught that to us and wanted all of her children to be
11 healthy and have these certain vitamins and things.

12 Q Is that something she told you about your whole life?

13 A Yes, sir, our whole entire lives.

14 Q I think you also mentioned -- was she in the business
15 of nutraceuticals as well?

16 A Yes. My mother, very admirably, stayed at home to
17 raise all of -- all of -- five children, kind of played
18 chauffeur for -- and still is, 33 years now, and during
19 that time, she had her business that she would sell the
20 nutritional health care products.

21 Q And did she make some money to supplement the
22 family's income?

23 A Yes, sir.

24 Q But she was at home?

25 A Correct.

1 Q You testified, I think, that you had to contact your
2 father's scheduler to find time to meet with him; is that
3 right?

4 A Yes, I did.

5 Q And did that start, when he was Governor, or did that
6 happen before?

7 A No. That happened way before.

8 Q This was for many years?

9 A Many, many years.

10 Q Did you ever speak to your mother about the
11 difficulty of having time with her husband?

12 A I'm sure we had conversations. I mean, it was hard
13 for all of us. My mom had -- wore many hats at home,
14 taking care of everything, raising -- running everyone
15 around, doing all the grocery shopping, everything. So, I
16 mean, I knew it was hard and I could see that.

17 MR. BURCK: Your Honor, may I just confer?

18 THE COURT: Go ahead.

19 MR. BURCK: That's it, Your Honor. Thank you.

20 THE COURT: All right. Anything else from the
21 government?

22 MS. ABER: Yes, Your Honor.

23 **REDIRECT EXAMINATION**

24 BY MS. ABER:

25 Q Ms. Young, you've said it was difficult to get on

1 your father's schedule.

2 A Yes, ma'am.

3 Q How often do you talk to your father -- when he was
4 Governor, how often did you talk to him by telephone?

5 A Sometimes I'd call him and wouldn't get a call back
6 for days, and sometimes he'd answer in a meeting. You
7 know, if I'd call once or twice and he'd, "Hey, I'm in a
8 meeting. Is everything okay? Is it an emergency?" Or
9 send a text, "All okay? In meeting. Love dad."

10 So, I mean, that's kind of hard to say on
11 average because it was so scattered. And usually when we
12 did talk, it was a very quick conversation. "How are you
13 doing? I love you. Can I do anything to help you?
14 Good-bye."

15 Q Would you say that was once a day, once a week, once
16 a month?

17 A It wasn't always once a day, no, ma'am. Sometimes it
18 was days without talking to him.

19 Q But at least once a month?

20 A Yes, ma'am.

21 Q Once a week?

22 A Yeah, I would say at least once a week.

23 Q Now, I think you said that you and Mr. Young paid
24 approximately \$12,000 out of pocket for your wedding. Did
25 I catch that right?

1 A I think that's what it was. I'd have to go back and
2 look, and my husband was more the money keep-tracker
3 person, but I think it was around 12.

4 Q It's been a few years. But roughly how much of that
5 would you say constituted the rehearsal dinner?

6 A That's without the rehearsal dinner. With the
7 rehearsal dinner, it was over 16.

8 Q And how much of that was the honeymoon?

9 A I think the honeymoon was right around upper 3,000s.
10 My husband did the honeymoon. That was his job. So --
11 but I think it was around 4.

12 Q Okay.

13 A I'm not exactly sure.

14 Q So of the 12, roughly 4 is the honeymoon, thousand
15 dollars?

16 A Around 4, yeah. I would -- maybe a little less.

17 Q Now, you had made some observations, I think, about
18 when you came through the mansion and saw your parents
19 having -- having dinner with Mr. and Ms. Williams; is that
20 right?

21 A Yes, ma'am.

22 Q How long were you there?

23 A It was about 10, 15 minutes.

24 Q Now, when we met with you and your attorneys at
25 Hunton & Williams last year --

1 A Uh-huh.

2 Q -- which you voluntarily came, did you have a proffer
3 agreement?

4 A What do you mean?

5 Q Did you sign something with the government in advance
6 saying that whatever you said wouldn't be used against
7 you?

8 A No. I don't -- I don't -- I don't remember.

9 Q Have you met with your parents' defense attorneys to
10 prepare for today?

11 A I have.

12 Q How many times?

13 A Three times.

14 Q And you testified before the grand jury probably
15 about eight, ten months ago; is that right?

16 A Yes.

17 Q But you refused to meet with the government after
18 that date; is that correct?

19 A Correct.

20 Q And finally, when you learned that your father had
21 paid those \$8,000 in deposits and you called him and you
22 yelled at him, did you try to pay him back?

23 A I did not. We were going to clean up at the end.

24 Once everything was said and done, we were going to pay
25 him back.

1 MS. ABER: Thank you. I have no further
2 questions.

3 THE COURT: All right. Thank you, ma'am. You
4 may stand down.

5 (Witness stood aside.)

6 THE COURT: All right. We're going to take our
7 15-minute break and then we'll push on. We'll stop at
8 around 5:30. So we may have one more witness that we may
9 get in. But you all take these 15 minutes and we'll be
10 back in a few minutes.

11 (The jury exited the courtroom.)

12 THE COURT: All right. Fifteen minutes.

13 (Recess taken from 4:31 p.m. until 4:44 p.m.)

14 (The jury entered the courtroom.)

15 THE COURT: All right. Government.

16 MR. HARBACH: Thank you, Your Honor. The
17 government calls Jerri Fulkerson.

18
19 **JERRI FULKERSON,**
20 called as a witness by and on behalf of the government,
21 having been first duly sworn by the Clerk, was examined
22 and testified as follows:
23

24 MR. HARBACH: May I inquire, Your Honor?

25 THE COURT: Go ahead.

DIRECT EXAMINATION

BY MR. HARBACH:

Q Good afternoon, Ms. Fulkerson.

A Good afternoon.

Q Would you please state your full name and spell your last name for the record?

A Jerri Fulkerson, F, like in Frank, U-L-K-E-R-S-O-N.

Q If you could please pull that microphone down a little bit for you. That's better. Thank you, ma'am.

Tell us about your educational background.

A High school education, and everything else has been on-the-job training.

Q In the course of your career, have you worked for a company called Star Scientific?

A Yes.

Q When did you start working for Star?

A July 1995.

Q What were you hired to do at that time?

A Receptionist.

Q What kind of company is Star, generally?

A They were manufacturing in the beginning. Now they are research and development, I guess you would call it.

Q What sorts of products?

A They make a product called Anatabloc now.

Manufacturing, they made cigarettes, smokeless tobacco

1 products?

2 Q Do you recall meeting somebody shortly after you
3 started at Star named Jonnie Williams?

4 A Yes.

5 Q When did you meet him?

6 A The day I started.

7 Q Did there come a time during your tenure at Star that
8 you came to work for Mr. Williams?

9 A Yes.

10 Q About how long after you started would you say you
11 started working for him?

12 A Couple years, maybe two.

13 Q What did you start out doing for Mr. Williams?

14 A Writing his checks, paying his bills, the regular
15 household bills.

16 Q Was this in addition to your Star duties at the time?

17 A Yes.

18 Q What were your Star duties at the time you started
19 paying Mr. Williams' personal bills?

20 A Accounts receivable and invoicing.

21 Q Did there come a time a few years later when you
22 started to assume a more official role as Mr. Williams'
23 executive assistant?

24 A Yes.

25 Q About when was that?

1 A Best of my memory, '98, '99.

2 Q And how did your duties change when you assumed that
3 more official role, if at all?

4 A I became his secretary, his executive assistant and
5 more personal assistant also.

6 Q Are you familiar with an entity called Starwood
7 Aviation?

8 A I am.

9 Q What's that?

10 A It's a company that owns the jet that -- or -- yeah.
11 It owns the jet that Jonnie owns, Jonnie Williams owns.

12 Q Mr. Williams owns a jet?

13 A Yes.

14 Q And Starwood Aviation is the company that officially
15 owns it?

16 A Yes.

17 Q Is Starwood Aviation affiliated at all with the
18 company Star that we've been talking about?

19 A Only through Jonnie Williams.

20 Q What was your role with respect to Starwood Aviation?
21 What sorts of things would you do?

22 A Take requests for the jet, invoicing for the jet,
23 keeping up with the regular maintenance, invoices and the
24 bills, paying bills.

25 Q Whose decision was it about who and when the jet

1 would be used, who the jet would be used for and when it
2 would be used?

3 A Jonnie Williams.

4 Q Did you have the authority to decide to book the
5 plane on your own?

6 A No.

7 Q Did you ever book the plane without Mr. Williams'
8 permission?

9 A No.

10 Q Are you familiar with a company called -- excuse me,
11 not a company, an entity called Starwood Trust?

12 A Yes.

13 Q What's that?

14 A It's the trust Mr. Williams set up for the benefit of
15 his wife and children.

16 Q And what was your role with respect to Starwood
17 Trust?

18 A Just to pay the monthly bills, the household bills or
19 bills generated by Starwood Trust.

20 Q Did you have signing authority over the bank accounts
21 for Starwood Aviation and Starwood Trust?

22 A Yes.

23 Q In other words, you were authorized to write checks?

24 A Yes.

25 Q And was that authority, meaning the authority to

1 write checks, did you exercise that independently or with
2 Mr. Williams' permission all the time or a mix? Tell us
3 about that.

4 A It was a mix. If it was a regular monthly bill for
5 the same amount or a regular household bill, I had the
6 authority to go ahead and write the checks and sign them.
7 Anything out of the ordinary had to be cleared through him
8 or through Donnie.

9 Q Who's Donnie?

10 A Oh, I'm sorry. Donnie is the trustee of Starwood
11 Trust.

12 Q What's Donnie's last name?

13 A Williams.

14 Q Is he related to Jonnie Williams?

15 A Yes. He's --

16 Q How so?

17 A He's Jonnie's brother.

18 Q Now, besides the -- oh, on the checks that we've been
19 talking about for Starwood Trust or for Starwood Aviation,
20 when we say that you have authority to sign checks, would
21 you sign your own name?

22 A Yes.

23 Q In other words, you're a signatory on those accounts?

24 A I am.

25 Q Now, in addition to those types of examples where you

1 would sign your own name to checks on those accounts, were
2 there occasions, during your work for Mr. Williams, where
3 you would actually sign Mr. Williams' name for him?

4 A Yes, at his expressed direction.

5 Q Do you have Mr. Williams' permission each time you
6 did that?

7 A Yes.

8 Q How did that practice come about?

9 A In the beginning, when I first started working for
10 him, he told me to sign his name on a document and
11 thereafter, every time he needed something signed with his
12 name, he would tell me when to do it.

13 Q I want you to focus now, please, on the time frame,
14 if you can, from approximately 2009 through 2012. Okay?
15 And my question for you is: During that time frame, how
16 frequently would you say you had contact with
17 Mr. Williams?

18 A If he was in town, I had daily contact with him. If
19 he wasn't, it was at least by telephone once or twice a
20 week at least.

21 Q Did you know how to get ahold of him if you needed
22 to, for the most part?

23 A Yes.

24 Q How would you characterize your relationship with
25 Mr. Williams as you sit here today?

1 A It's employee/boss, but we're -- we're friendly. We
2 can talk.

3 Q Do you still work for him?

4 A I do.

5 Q Have you ever met Mr. McDonnell, the former Governor,
6 who's a defendant here today?

7 A No.

8 Q What about Mr. McDonnell's wife, Ms. McDonnell, have
9 you ever met her?

10 A No.

11 Q Now, from time to time in your experience, did
12 Mr. Williams allow various politicians to use his jet?

13 A Yes.

14 Q Do you recall an occasion in the fall of 2010 when
15 Mr. Williams allowed Mr. McDonnell to use his plane to
16 travel back and forth from Virginia to California?

17 A Yes.

18 Q And in general, before we get to that specific
19 example, can you tell us, in general, what would the
20 process be if a politician was interested in using
21 Mr. Williams' plane? How would the process work?

22 A Generally, I would either get a telephone call or an
23 e-mail requesting the use of the plane, and they would
24 generally tell me from point A to point B and what time it
25 had to be there.

1 Q What would you do once you had that information?

2 A I would then call Mr. Williams or contact him some
3 way, give him the request and find out if it was okay or
4 not. And then at that point call the politician's office
5 back, or e-mail them.

6 Q And let's assume that -- that Mr. Williams were to
7 approve the flight we're talking about. What would happen
8 next?

9 A I would get the details, hopefully who was going to
10 be on the plane, where they needed to go, what airport
11 they needed to land at, what time they needed to be there.
12 I would turn that information over to the pilots. They
13 would figure out the times that it would take to get there
14 and then send me back the itinerary to send to the --
15 whatever politician's office.

16 Q Now, let's focus on the occasion in the fall of 2010
17 that we were talking about a moment ago where the -- where
18 the then-Governor, Mr. McDonnell, went to California and
19 back. Okay?

20 A Okay.

21 Q Do you recall how that specific trip came to your
22 attention?

23 A I don't know if it was a phone call or -- I think it
24 was an e-mail, but I can't really remember, telling me
25 they needed to go I believe to San Fran- -- Sacramento.

1 Q And when you say "they," you mean someone on the
2 Governor's staff?

3 A Someone -- the Governor and probably someone on his
4 staff. They normally travel with people.

5 Q What was Mr. Williams' reaction to that possibility?
6 Did he approve that trip?

7 A He did.

8 Q So did you make the arrangements for it?

9 A I did.

10 MR. HARBACH: Will you please pull up for
11 identification Government's 64?

12 BY MR. HARBACH:

13 Q Can you see that on your screen, ma'am?

14 A Nothing.

15 THE COURT: It didn't come up?

16 A Okay. It's kind of blurry, but I can see it.

17 BY MR. HARBACH:

18 Q Okay.

19 MR. HARBACH: Mr. Starnes, can you blow up the
20 top half of that for us, please. Excuse me. For the
21 witness at least.

22 BY MR. HARBACH:

23 Q Can you see that, ma'am?

24 A It just needs to scroll down a little bit.

25 MR. HARBACH: Scroll down a little bit,

1 Mr. Starnes.

2 A Okay.

3 BY MR. HARBACH:

4 Q Ms. Fulkerson, is this paperwork related to the
5 flight that we've been talking about, the one in the fall
6 of 2010, to California?

7 A Yes.

8 MR. HARBACH: Your Honor, the government offers
9 Government 64.

10 THE COURT: It will be admitted.

11 BY MR. HARBACH:

12 Q Publishing for the jury the first page of Government
13 64. In the description box under there, Ms. Fulkerson,
14 what's the date of this trip?

15 A October 3rd, 2010.

16 Q Okay.

17 THE COURT: We're having problems?

18 THE CLERK: The jury can see it, right? They're
19 on.

20 MR. HARBACH: Shall I continue, Judge?

21 THE CLERK: The jury can see it.

22 THE COURT: Go ahead. The jury has seen it.

23 MR. HARBACH: Very good, Your Honor.

24 BY MR. HARBACH:

25 Q Okay, Ms. Fulkerson. The question was: In the

1 description box there, what was the date of the trip to
2 California?

3 A October 3rd, 2010.

4 Q And as best you can tell from what's written here on
5 this document, was the return trip the same day?

6 A It appears to be.

7 Q Okay.

8 MR. HARBACH: Thank you, Mr. Starnes. You can
9 take that down.

10 BY MR. HARBACH:

11 Q Now, Ms. Fulkerson, did part of your duties for
12 Mr. Williams, when you were his executive assistant,
13 include monitoring his e-mail?

14 A Yes.

15 Q How many e-mail addresses did Mr. Williams have with
16 Star?

17 A Two.

18 Q And did you have access to both of those accounts?

19 A Yes.

20 Q What was the difference between the two?

21 A One was very public. You could find it on the
22 Web site or anywhere. The other one was a more private
23 e-mail that the general public didn't have access to.

24 Q Do you recall which address was which?

25 A One was jwilliams@starscientific. The other one --

1 Q And --

2 A The other one was Jonnie Williams.

3 Q And the one that was jwilliams@starscientific, was
4 that the public one or the more private one?

5 A Yes. It was the more public one.

6 Q Okay. And then the one that was Jonnie Williams was
7 the more private one?

8 A It was, yes.

9 Q How did that system get started? Do you remember?

10 A I -- Mr. Williams didn't read a lot of e-mails. He
11 just got -- he just got really overwhelmed with all the
12 e-mails going to JWilliams. So it was just kind of to
13 filter out what he needed to see for the other one, for
14 the Jonnie Williams.

15 Q In your experience, in general, did Mr. Williams have
16 difficulty reading?

17 A Yes.

18 Q I'm sorry?

19 A Yes.

20 Q Do you recall whether he has any particular condition
21 that makes reading hard for him?

22 A I believe he's dyslexic.

23 Q Now, when Mr. Williams started getting overwhelmed
24 with all the e-mails to the public account, what was the
25 solution? What was the arrangement that you all worked

1 out?

2 A That I would filter through the e-mails, the real
3 junk mail, the ads, the -- you know, life insurance,
4 whatever it was. The important ones then, I would send
5 them to the Jonnie Williams e-mail address and I would
6 normally text him if he had something he needed to see.

7 Q How would you decide whether an e-mail was important
8 enough to forward to Mr. Williams' private account?

9 A In the beginning -- well, naturally, if it's an ad
10 for weight loss or it's somebody who's in a foreign
11 country wanting money, that's obviously junk mail.

12 Q Okay. The --

13 A The other ones, if I recognized the name, if I
14 thought it was a -- a business practice, he would
15 automatically get it. If I had a question, I would send
16 it to him and text him.

17 MR. HARBACH: Okay. Can we pull up for
18 identification Government 66, please?

19 BY MR. HARBACH:

20 Q This is a new subject, Ms. Fulkerson.

21 A I see it.

22 Q Can you see it a little better now?

23 A Yes.

24 Q Okay. Now, is this an example of you forwarding an
25 e-mail from Mr. Williams' public account to some other

1 people?

2 A Yes.

3 MR. HARBACH: Okay. Your Honor, government
4 offers Government 66.

5 THE COURT: It will be admitted.

6 BY MR. HARBACH:

7 Q Now, let's start with the e-mail on the bottom. It's
8 from someone called Sara Machir to three different
9 offices. Do you see that there?

10 A I do.

11 Q Do you know who Sara Machir is?

12 A She was public relations and communications director
13 for Star Scientific.

14 Q All right. Now, at the top it says "From: Jonnie
15 Williams, Sr.," and then it has that JWilliams address
16 there, and I hope the horse isn't dead, but is that the
17 public or private address for Mr. Williams?

18 A The public.

19 Q Okay. And then I note in the body of the e-mail,
20 whose signature block is there?

21 A Mine.

22 Q So is this you forwarding something from
23 Mr. Williams' e-mail account?

24 A Yes.

25 Q The date of this e-mail is October 8th at 10:39. And

1 the first addressee there, Monica Block, do you recall who
2 Ms. Block was?

3 A She works in the Governor's office.

4 Q Do you recall what her job was?

5 A I'm not positive, but I think she was a scheduler.

6 Q Okay. Now, the body of this e-mail says, "Jonnie
7 asked that I forward this press release and the next one
8 to Governor McDonnell and AG Cuccinelli."

9 A Yes.

10 Q My question for you is: Would you have written
11 something like if Mr. Williams had not, in fact, asked you
12 to do so?

13 A No.

14 MR. HARBACH: If we could now take a look for
15 identification at Government 68, please.

16 BY MR. HARBACH:

17 Q Ms. Fulkerson, can you see that okay on the monitor?

18 A Yes.

19 Q Is this another e-mail in the same exchange involving
20 your forwarding press releases?

21 A Yes.

22 MR. HARBACH: Your Honor, the government offers
23 Government 68.

24 THE COURT: It will be admitted.

25 BY MR. HARBACH:

1 Q And the first thing I want to note is, what is the
2 date and time that the e-mail at the top was sent,
3 Ms. Fulkerson?

4 A October 8th, 2010, at 10:39 a.m.

5 Q So about 40 minutes after the one we just saw?

6 A Yes.

7 Q And the -- is there an attachment to this e-mail?

8 A It doesn't appear that it --

9 Q Well, look under the Subject line there.

10 A It does say attachment, "Star Scientific's Comments
11 on Roskamp Institute."

12 Q And you wrote, indeed, "Star's Press Release" in the
13 body of the e-mail?

14 A I did.

15 Q Now, is Ms. Block among the folks who this e-mail is
16 sent to?

17 A Yes.

18 MR. HARBACH: Now if we could show page 2 of --
19 actually before we do that, Mr. Starnes.

20 BY MR. HARBACH:

21 Q What does it say in the attached field at the top of
22 the email, what does it say there?

23 A "Star Scientific's Comments on Roskamp Institute."

24 MR. HARBACH: Can we look, just briefly, at page
25 2 of Government 68, Mr. Starnes?

1 BY MR. HARBACH:

2 Q Is this the press release that was attached to that
3 e-mail, ma'am?

4 A Yes.

5 Q The next exhibit I'd like to show you for
6 identification is Government 69, please. Ms. Fulkerson,
7 is this another e-mail in the same exchange involving
8 press releases that we've been talking about?

9 A Yes.

10 MR. HARBACH: Your Honor, the government offers
11 Government 69.

12 THE COURT: It will be admitted.

13 BY MR. HARBACH:

14 Q Okay. Ms. Fulkerson, this one is sent at what time
15 at the top there?

16 A 10:40.

17 Q So one minute after the e-mail we were just looking
18 at a moment ago?

19 A Yes.

20 Q And is this one also to Ms. Block?

21 A Yes.

22 Q And other people, of course?

23 A Yes.

24 Q Now, the subject line on this one and the attachment
25 refers to what?

1 A "Roskamp Institute Press Release."

2 Q Is this a different press release from the one we
3 were just looking at a moment ago?

4 A I believe so, yes.

5 Q All right. Let's take a look at page 2, briefly, of
6 Government 69.

7 MR. HARBACH: Could you blow up the text,
8 please, Mr. Starnes, just the whole thing. Thank you,
9 sir.

10 BY MR. HARBACH:

11 Q Is this the press release that you forwarded in
12 connection with the e-mail we've been looking at?

13 A Yes.

14 Q All right. We're going to come back to Roskamp
15 Institute in a few minutes. Okay?

16 A Okay.

17 Q Finally, if we could take a look at Government 70 for
18 identification, please. Is this the conclusion of the
19 e-mail communication about the press releases,
20 Ms. Fulkerson?

21 A Yes.

22 MR. HARBACH: Your Honor, the government offers
23 Government 70.

24 THE COURT: It will be admitted.

25 BY MR. HARBACH:

1 Q Okay. And now, at the top, who's this e-mail from,
2 Ms. Fulkerson?

3 A Monica Block.

4 Q And the date and time that this one is sent?

5 A October 8, 2010 at 10:42 a.m.

6 Q A couple minutes after the e-mail that we were
7 looking at a moment ago that was Government 69?

8 A Yes.

9 Q And who's it addressed to?

10 A Myself.

11 Q What does Ms. Block say to you in the e-mail?

12 A "Got it, Jerri" -- "got it. Thank you, Jerri. I
13 will print this for the Governor."

14 MR. HARBACH: Okay. Thank you, Mr. Starnes.
15 You can take that down.

16 BY MR. HARBACH:

17 Q Different subject, Ms. Fulkerson. Do you recall
18 being involved in helping to arrange a meeting between
19 Mr. Williams and a Dr. Bill Hazel?

20 A I remember the meeting was set and it was just the
21 fact to confirm the date and time. I mean -- yeah, the
22 date, time, and place.

23 Q And do you recall how you found out that the meeting
24 was set?

25 A I believe Mr. Williams told me.

1 Q Do you recall, as you sit here today, when exactly
2 that meeting was?

3 A I -- I couldn't tell you when the dates were. I
4 believe it was in October sometime, maybe November.

5 Q Do you remember what year?

6 A 2010.

7 Q Do you --

8 A I don't really remember.

9 Q Okay. Let's move on, then. Next subject. Do you
10 recall being involved in a request to help make
11 arrangements for the Governor and Ms. McDonnell to travel
12 to the Final Four in Houston, Texas?

13 A Yes.

14 Q Tell us what you remember about how you learned of
15 that request.

16 A I believe I got an e-mail from Monica Block stating
17 that VCU had made it to the Final Four and that the
18 Governor was invited to attend and could Starwood Aviation
19 do the flight.

20 Q And do you recall what Mr. Williams' reaction was to
21 that prospect?

22 A I remember it being a difficult flight because he was
23 in Michigan, I believe.

24 Q "He" who?

25 A Mr. Williams, and the jet would take Mr. Williams

1 back and forth to Michigan for meetings concerning
2 Anatabloc. It was a difficult trip, but Mr. Williams
3 agreed to do it.

4 Q Okay. Let's take a look at, for identification,
5 please, at Government's 92.

6 MR. HARBACH: If you could, just maybe blow up
7 the top half so she can see it better, Mr. Starnes.

8 BY MR. HARBACH:

9 Q Ms. Fulkerson, is this an e-mail exchange concerning
10 the flight arrangements to Houston that you've been
11 talking about?

12 A Yes.

13 MR. HARBACH: Your Honor, government offers
14 Government's 92.

15 THE COURT: It will be admitted.

16 MR. HARBACH: Okay. I'd like to start,
17 Mr. Starnes, on page 2 of the exhibit. And just blow up
18 the e-mail at the bottom of the page, the one from
19 Ms. Fulkerson to Ms. Block. Thank you, sir.

20 BY MR. HARBACH:

21 Q And what's the date of this e-mail, Ms. Fulkerson?

22 A March 29th, 2011.

23 Q All right. And could you just read the first
24 sentence for us?

25 A "I just talked to JW. This is a really hard trip for

1 us to do, but Jonnie will never turn the Governor down if
2 he can help it" -- "at all help it."

3 Q Okay. Now, same question as I asked you before. Is
4 that something that you would have written if Mr. Williams
5 had not told you to say that?

6 A No.

7 MR. HARBACH: And if we could back out to page
8 1. Actually, take the exhibit down for just a minute,
9 please, before we go to page 1.

10 BY MR. HARBACH:

11 Q Do you remember whether, after the initial
12 arrangements were made, there was a change?

13 A Yes.

14 Q What do you recall about that?

15 A Ms. McDonnell was going to the Final Four with him,
16 but she had to come back early. The same day, I believe.

17 Q And --

18 A And it threw a wrench in everything.

19 Q Okay. Was Mr. Williams able to accommodate that
20 requested change in plans?

21 A Yes.

22 Q All right. Now let's take a look at the first page
23 of Government's 92, which is in evidence.

24 MR. HARBACH: And if we could blow up that
25 e-mail from Ms. Fulkerson at the top there, please,

1 Mr. Starnes. Yeah, that's fine. Both of them. Okay.

2 Thank you, sir.

3 BY MR. HARBACH:

4 Q Okay, Ms. Fulkerson. I'd like to look at the one at
5 the bottom that's from you. Okay?

6 A Yes.

7 Q Is what's the date on that one, your e-mail to
8 Ms. Block?

9 A March 30th, 2011.

10 Q So the next day from what we were looking at before?

11 A Yes.

12 Q All right. Now, this one says -- actually, I'll ask
13 you to read up to that first smiley face, please.

14 A "Okay. Jonnie said that just because it's the
15 Governor's wife, they" -- which should have been "the" --
16 "pilots will stay in Houston and bring her back after the
17 game."

18 Q All right. Is that -- were those -- is that what
19 Mr. Williams asked you to convey?

20 A Yes.

21 MR. HARBACH: You can take that exhibit down,
22 please.

23 THE COURT: What's the number on that list
24 exhibit, please?

25 MR. HARBACH: That's 92, Your Honor.

1 THE COURT: Thank you. All right.

2 BY MR. HARBACH:

3 Q Next topic. Do you recall, at some point, receiving
4 word of an invitation for Mr. and Ms. Williams to have
5 dinner at the Governor's mansion with Mr. and
6 Ms. McDonnell?

7 A Yes.

8 Q Could we take a look at, for identification,
9 Government's 103, please, and --

10 MR. HARBACH: Thank you, Mr. Starnes. Just so
11 she can see what we're talking about.

12 BY MR. HARBACH:

13 Q Ms. Fulkerson, do you recognize this to be an e-mail
14 exchange about that invitation?

15 A Yes.

16 MR. HARBACH: Your Honor, the government offers
17 Government's 103.

18 THE COURT: It will be admitted.

19 MR. HARBACH: Okay. Can I please start on page
20 2, Mr. Starnes, and the bottom half, just the e-mail from
21 Ms. Fulkerson there. Okay. My mistake.

22 BY MR. HARBACH:

23 Q The e-mail at the very bottom of this page is
24 actually from Ms. Block; is that right?

25 A Yes.

1 Q It's addressed to you?

2 A Yes.

3 Q And it's obviously an invitation to have dinner at
4 the mansion. Do you see that there?

5 A Yes.

6 Q My question for you is: At the end of the first line
7 there where it says, "The Governor and the First Lady
8 would like to invite Jonnie," do you see that?

9 A Yes.

10 Q Is that the correct spelling of Mr. Williams' first
11 name?

12 A Yes.

13 Q Okay. Now let's go back to page 1, please. I think
14 we saw this a moment ago, but did Mr. Williams and
15 Ms. Williams accept the invitation?

16 A Mr. Williams accepted.

17 Q Understood. Now, do you recall whether there were
18 any additional invitations related to the dinner?

19 A He was invited to spend the night at the mansion.

20 MR. HARBACH: Okay. Let's take a look at the
21 middle of 103, the e-mail from Ms. Block, please,
22 Mr. Starnes. There you go.

23 BY MR. HARBACH:

24 Q Is that what you were just referring to?

25 A Yes.

1 Q Did you have any conversations with Mr. Williams
2 about whether he would take the Governor and Ms. McDonnell
3 up on the offer to stay overnight in the mansion?

4 A Yes.

5 Q What did he say about that?

6 A He said he had a perfectly good house in Goochland,
7 there was no reason for him to spend the night.

8 Q And then just to finish this off, if we could scroll
9 up a little bit and see how you responded on Mr. Williams'
10 behalf. What did you say to him?

11 A "I just talked to JW. He is not bringing anyone with
12 him, and thank you for the offer to stay overnight, but he
13 said he'll go home to the house in Goochland."

14 Q All right. Let me ask you, do you recall one way or
15 the other whether or not Ms. Williams went to the dinner?

16 A No, she did not.

17 Q Okay. And if we could go back to page 2 of
18 Government's 103. I want to make sure I spoke correctly.
19 The invitation at the bottom there, if we could blow up
20 Ms. Block's invitation. That is, in fact, only to Jonnie.
21 Am I right about that?

22 A Yes.

23 Q Thank you, ma'am. It was my mistake.

24 Do you have any idea what precipitated the
25 invitation from the Governor and Ms. McDonnell to

1 Mr. Williams to have dinner with them at the mansion?

2 A No.

3 Q Do you recall any conversations with Mr. Williams
4 about the dinner afterward?

5 A No.

6 Q Okay. Now, a moment ago I told you we were going to
7 come back to the idea of Roskamp. Do you recall that?

8 A I do.

9 Q Do you know what the Roskamp Institute is?

10 A It's research center on Alzheimer's, for Alzheimer's.

11 Q Do you know where it's located?

12 A Sarasota, Florida.

13 Q And do you know what relationship, if any, it has
14 with Star?

15 A It has a working relationship. Star Scientific was
16 working with Roskamp to develop Anatabloc with the help --
17 for the help of Alzheimer's.

18 MR. HARBACH: Could we take a look, for
19 identification, please, at Government's 114. And maybe
20 blow up the bottom half of the page for her to be able to
21 identify it, Mr. Starnes. Thank you, sir.

22 BY MR. HARBACH:

23 Q Can you see that okay, Ms. Fulkerson?

24 A Yes.

25 Q Is this an e-mail exchange concerning the possibility

1 of Mr. McDonnell going to Roskamp?

2 A Yes.

3 MR. HARBACH: Your Honor, the government offers
4 Government's 114.

5 THE COURT: It will be admitted.

6 MR. HARBACH: And I think -- you can leave it
7 right there, Mr. Starnes. That's good.

8 BY MR. HARBACH:

9 Q The e-mail that's on display for the jury right now,
10 Ms. Fulkerson, right there in the middle, the one that's
11 dated May 4, '11, at 12:55 p.m., do you see that there?

12 A I do.

13 Q It says, "Jonnie said that gov is going to Sarasota
14 to Roskamp Institute on the 1st." Would that be June 1st?

15 A I believe so.

16 Q "And we are providing the transportation."
17 Meaning -- does that mean Mr. Williams' plane?

18 A Yes.

19 Q "Roskamp is the company working with Jonnie on
20 Anatabloc, et cetera." Did you -- did you -- would you
21 have, in fact, had a conversation with Mr. Williams on
22 this subject --

23 A Yes.

24 Q -- prior to sending this e-mail?

25 A Yes.

1 Q All right.

2 MR. HARBACH: Now, if we could scroll down.

3 Actually, leave it right there, Mr. Starnes. We're good.

4 BY MR. HARBACH:

5 Q What does Ms. Block say in reply to your e-mail one
6 minute later at the top?

7 A "The 1st of June?"

8 MR. HARBACH: And then if we could scroll up a
9 little bit. Very good.

10 BY MR. HARBACH:

11 Q You say to her, "Let me know after you check with
12 him"?

13 A Yes. "Let me know after you check with him."

14 Q All right. Now, let's go on to Government's 118,
15 please, for identification. Is this an e-mail exchange a
16 few days later on this same subject?

17 A Yes.

18 MR. HARBACH: Your Honor, the government offers
19 Government's 118.

20 THE COURT: It will be admitted.

21 BY MR. HARBACH:

22 Q Okay. Let's start at the bottom, please, with the
23 e-mail from Ms. Block, and could you read the -- the first
24 paragraph there?

25 MR. HARBACH: Maybe you could blow that up for

1 her, Mr. Starnes. The one that begins "I spoke."

2 A "I spoke with the Governor regarding flying down to
3 speak to the Roskamp Institute on June 1st.

4 Unfortunately, after checking with his daughter, she is
5 getting married that Saturday. He doesn't believe he will
6 be able to attend due to some dad commitments that day.

7 I'm so sorry this won't work out."

8 BY MR. HARBACH:

9 Q Okay. And then at the bottom, why don't you read the
10 rest of this, please?

11 A "What else we can do to fix this? The Governor is
12 planning on being in Florida in December. Could we tie
13 something in then? When is their next event?"

14 Q All right. And then if we could scroll up to see how
15 you all concluded your conversation.

16 A I replied to her, "I will let JW know. Dads and
17 daughters come first."

18 Q All right. Now, that second sentence, is that
19 Mr. Williams or is that you?

20 A That's me.

21 Q That's your observation?

22 A Yes.

23 Q Okay. Now, do you recall one way or the other
24 whether the -- Ms. Block's reference to the event in
25 Florida in December, do you recall whether anything ever

1 happened with that?

2 A I don't remember.

3 Q Did you inform Mr. Williams when you learned from
4 Ms. Block that the Governor wasn't going to be able to go?

5 A Yes.

6 Q What was his reaction?

7 A He was very disappointed.

8 Q Do you recall anything specific that he said or just
9 his demeanor?

10 MR. BROWNLEE: Objection. Hearsay.

11 MR. HARBACH: I expect the answer to be no,
12 Judge.

13 THE COURT: You can go ahead and answer the
14 question.

15 A I just remember him being upset, that he really
16 wanted the Governor there.

17 BY MR. HARBACH:

18 Q Okay. Did you yourself attend the Roskamp meeting on
19 June 1st?

20 A No.

21 Q Do you recall whether you and/or Mr. Williams was
22 giving out samples of Anatabloc early in 2011?

23 A I believe so.

24 Q Do you recall how you all would decide who would get
25 the samples? How did that work?

1 A Mr. Williams decided. If people requested them, I
2 had to get permission from Mr. Williams.

3 Q And were there some people that you were authorized
4 to send samples to?

5 A Did he authorize me to send them to?

6 Q Yes, ma'am.

7 A Yes.

8 Q Do you remember how early in 2011 you all were doing
9 that?

10 A I really don't know without seeing something.

11 MR. HARBACH: Okay. Let's show the witness
12 Government's 94 for a refreshment only, please.

13 A Okay.

14 BY MR. HARBACH:

15 Q Just take a look at it, especially all the way down
16 at the bottom there.

17 MR. HARBACH: It's the bottom e-mail that I'm
18 interested in, Mr. Starnes.

19 A Okay.

20 BY MR. HARBACH:

21 Q The date range at the bottom. Ms. Fulkerson, does
22 taking a look at this refresh your memory about how early
23 in 2011 you were sending samples out to various people of
24 Anatabloc?

25 A Yes.

1 Q Okay.

2 MR. HARBACH: Mr. Starnes, can you take it down,
3 please.

4 BY MR. HARBACH:

5 Q As early as when?

6 A January.

7 Q Next subject. I'm going to start this one with a
8 document. It's Government's 120, please. Do you
9 recognize this document, Ms. Fulkerson?

10 A Yes.

11 Q Is this a check that you prepared?

12 A It is.

13 MR. HARBACH: Your Honor, the government offers
14 Government's 120.

15 THE COURT: It will be admitted.

16 BY MR. HARBACH:

17 Q Publishing 120 to the jury, this check is written on
18 the account of whom?

19 A Starwood Trust.

20 Q Who asked you to prepare this check?

21 A Jonnie Williams.

22 Q Is that your signature that appears on it?

23 A Yes, it is.

24 Q Whose decision was it to make this check out to
25 Maureen McDonnell?

1 A Jonnie Williams.

2 Q Did he tell you to do that?

3 A Yes.

4 Q What's the date on the check?

5 A May 23rd, 2011.

6 Q What about the decision to write the check on the
7 account of Starwood Trust, was that your call?

8 A No.

9 Q Whose call was it?

10 A Jonnie asked me to write the check on Starwood Trust.
11 I had to get Donnie Williams', the trustee's permission.

12 Q Did you do that?

13 A I did.

14 Q Let's take a look now at Government's 121, please.

15 Oh, I'm sorry. Before we take that one down, same
16 question about the amount. The \$50,000, was that amount
17 selected by Mr. Williams?

18 A It was.

19 Q Okay. And so now if we could look for
20 identification, at Government's 121, please. Do you
21 recognize this to be a check that you prepared?

22 A It is.

23 MR. HARBACH: Your Honor, the government offers
24 Government's 121.

25 THE COURT: It will be admitted.

1 BY MR. HARBACH:

2 Q This check is written on the account of whom?

3 A Starwood Trust.

4 Q Did you go through the same process with respect to
5 this check that you just described?

6 A Yes.

7 Q Getting Donnie Williams' permission?

8 A Yes.

9 Q What's the date on this check?

10 A May 23rd, 2011.

11 Q Now, at the time you prepared this check, was the
12 payee part, the pay to the order of, was that filled in
13 yet?

14 A No.

15 Q Did you receive any instructions from Mr. Williams
16 about that?

17 A He told me to leave it blank.

18 Q What about the memo line that says, "Wedding gift,"
19 whose idea was it to put that there?

20 A Mr. Williams.

21 Q Do you recall what Mr. Williams said about that,
22 about why he wanted you to put "wedding gift" in the memo
23 line?

24 A It was to pay for one of the McDonnell daughter's
25 wedding reception.

1 Q Did Mr. Williams, when he asked you to prepare these
2 checks, did Mr. -- and incidentally, can you -- well,
3 withdrawn.

4 When Mr. Williams asked you to prepare these
5 checks, did he say why he wanted them?

6 MR. BROWNLEE: Objection. Hearsay.

7 THE COURT: Sustained.

8 BY MR. HARBACH:

9 Q Did you have any conversation with Mr. Williams about
10 whether the 50,000-dollar check was to be a loan or a
11 gift?

12 A I believe he told me it was a loan.

13 MR. BROWNLEE: Objection. Hearsay.

14 THE COURT: She's already answered it now. Go
15 ahead.

16 BY MR. HARBACH:

17 Q To your recollection, did Mr. Williams say anything
18 to your about the terms of the loan, if you recall?

19 MR. BROWNLEE: Objection. Hearsay.

20 THE COURT: Sustained.

21 BY MR. HARBACH:

22 Q Looking at Government's 121 where it says, Great
23 Seasons Catering," is that your handwriting, ma'am?

24 A No.

25 Q What did you do with the checks after you prepared

1 them?

2 A Handed them to Mr. Williams.

3 Q You all were together in person?

4 A Yes.

5 Q When you handed the checks to Mr. Williams, did he
6 make any comments about any concerns he had about the
7 checks?

8 MR. BROWNLEE: Objection. Hearsay.

9 THE COURT: Sustained.

10 BY MR. HARBACH:

11 Q Did Mr. Williams tell you what he plans to do with
12 them?

13 MR. BROWNLEE: Objection. Hearsay.

14 THE COURT: Sustained.

15 BY MR. HARBACH:

16 Q Okay. If we could look at the next exhibit, which is
17 Government's 122, please. And before we zoom in,
18 Ms. Fulkerson, do you recognize this document?

19 A It's the general ledger that, when you enter checks
20 or bills into the QuickBooks system, this is what's
21 generated.

22 Q Okay. And were you involved with entering this data?

23 A Yes.

24 MR. HARBACH: The government offers Government's
25 122.

1 THE COURT: It will be admitted.

2 MR. HARBACH: Okay. Now, if we could blow up.

3 Mr. Starnes has it blown up already. That's good. Is

4 there a way to zoom in on --

5 A I can see it.

6 MR. HARBACH: Sure. Just the left-hand side for

7 now.

8 BY MR. HARBACH:

9 Q Okay. Now, about midway down the screen there you

10 see there are a couple of checks, number -- thank you,

11 there you go -- number 1001 and 1002. Do you see that

12 there?

13 A I do.

14 Q And the name that's associated with those in this

15 paperwork is who?

16 A Maureen McDonnell.

17 Q And then, if we could -- there you go. Thank you.

18 Now, the top line, the one that's associated

19 with check number 1001, in the column there, does that

20 say, "loan receivable"?

21 A It does.

22 Q In the amount of \$50,000?

23 A Yes.

24 Q And then the second line, gift in the amount of

25 \$15,000?

1 A Yes.

2 Q Let's take a look now at Government's 123 for
3 identification, please. Do you recognize this to be
4 another page from the ledger we've been discussing?

5 A Yes.

6 MR. HARBACH: Your Honor, the government offers
7 Government's 123.

8 THE COURT: It will be admitted.

9 MR. HARBACH: All right. And if we could just
10 look at the top line there. Thank you, Mr. Starnes.

11 You can -- let's do the same thing like last
12 time, please. Left side first so it gets a little bigger.
13 Thank you.

14 BY MR. HARBACH:

15 Q Now, this entry says, "Loan receivable Maureen
16 McDonne," and then the Ls are cut off. Is this for that
17 check number 1001, is that the 50,000-dollar check we've
18 been talking about?

19 A It is.

20 Q And what does it say in the memo column?

21 A "Two-year loan at 5 percent. Okayed by Donnie."

22 Q Now, would you have put "two-year loan at 5 percent"
23 in the memo line? Would you have just decided that on
24 your own?

25 A No.

1 Q Where did you learn that from?

2 A Jonnie.

3 Q Okay. And now, if you could scroll to the right,
4 please, on the same entry. There's the amount of \$50,000,
5 correct?

6 A Yes.

7 Q And finally, there's Government's 124. Another page
8 from the ledger we've been talking about?

9 A Yes.

10 MR. HARBACH: Your Honor, the government offers
11 Government's 124.

12 THE COURT: It will be admitted.

13 MR. HARBACH: And we're going to blow up just
14 the first line, which is -- there it is.

15 BY MR. HARBACH:

16 Q This is for the second check, which was numbered
17 1002; is that right?

18 A Yes.

19 Q And what's written in the memo column on this one?

20 A "Wedding gift for caterer and flowers for daughter."

21 Q All right. And if we could scroll over to the right.
22 In the amount of --

23 A -- \$15,000.

24 Q Thank you, ma'am.

25 MR. HARBACH: Your Honor, that's a good place to

1 stop, if you'd like to stop for the day, or I can keep
2 going.

3 THE COURT: No. We're going to go ahead and
4 stop here. It's about 5:35, thereabouts, and looking at
5 the pile of papers there, he's not even close to being
6 finished. So let me give you all the admonition that I
7 will give you every day about not talking to anybody about
8 this case.

9 Now, I've been doing this a long time so I know
10 a lot about how these things work. This is the toughest
11 day. Today there will be 6:00 news, 11:00 news, 6 a.m.
12 tomorrow, front page. So the pressure will come today,
13 the biggest pressure. Your friends and your family,
14 they'll want to talk about it. So please, don't -- don't
15 succumb to that temptation. I guarantee you, you'll find
16 out I'm right. You'll face this tonight. It gets easier
17 as we go along. After two or three days, that pressure
18 will subside.

19 And I know you're thinking, as you're sitting
20 there, I'm going to be in this courtroom for the rest of
21 my natural life, but again, things will start to move.
22 The first week is the slowest. The first, you know,
23 important witnesses, things will move a little slowly.
24 But as we start to go along, we'll get a better clip and
25 we will get through this. I am thanking you in advance

1 for your patience in this matter. I know it's a tough
2 deal.

3 We will wish you God's blessing this evening and
4 hope that everybody will be fine. We'll see you
5 tomorrow -- let me just check. Let's make it 9:30. 9:30
6 tomorrow morning and we will get started and hopefully
7 we'll move a little quicker tomorrow. You all be blessed.
8 All right. Follow the marshal, please.

9 (The jury left the courtroom.)

10 THE COURT: All right. We'll be in adjournment
11 until 9:00 -- or 9:30 in this case, but I have another
12 matter at 9.

13 (The trial adjourned at 5:33 p.m.)
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